

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32939 of 2013

Arising Out of PS.Case No. -1796 Year- 2009 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Vijay Singh @ Vijay Kumar Singh

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Adv.

For the Opposite Party/s : Ms. Anita Kumari Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 03-04-2017 The petitioner filed this petition for quashing the order dated 29.04.2013 passed by learned Additional Sessions Judge 4th, Muzaffarpur in Sessions Trial No. 389/2011 by which the learned Additional Sessions Judge dismissed the petition of the petitioner filed under Section 340 of the Cr.P.C (hereinafter for the sake of brevity as the ‘Code’).

From bare perusal of the provision of section 340 of the Cr. P.C it appears that any order passed under Section 340 of the Cr.P.C is appealable, but the petitioner has filed this petition under Section 482 of the Cr.P.C which is not maintainable.

After some argument learned counsel for the petitioner seeks permission to withdraw this quashing petition.

Prayer is allowed. This quashing petition is dismissed as withdrawn.

(Prabhat Kumar Jha, J.)

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