

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28418 of 2013

Arising Out of PS.Case No. -1824 Year- 2012 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

- =====
1. Surendra Prasad Sinha, son of late Domi Lal,
 2. Ashishek Anand, son of Surendra Prasad Sinha, resident of Bira Bigaha, Islampur, P.S. Islampur, District- Nalanda, at present residing at Shivaji Nagar, Makdumpur Bagicha, P.S. Digha, District Patna
- Petitioner/s

Versus

1. The State of Bihar
 2. Rashmi, wife of Abhishek Anand, daughter of Shankar Ray, presently residing at village- Panapur Gaurahi P.S.- Hajipur Sadar, District- Vaishali
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Vikram Singh, Advocate
For the Opposite Party/s : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6/ 30-01-2017 This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order of cognizance dated 13.07.2012 passed by the Chief Judicial Magistrate, Vaishali at Hajipur, in Complaint Case No.1824 of 2012.

It has been submitted on behalf of the petitioner that the complainant, Rashmi, who is the Opposite Party No.2, has died.

In such circumstances, he seeks permission to withdraw the application to file appropriate application before the Court below for passing final order in the case as the complainant



has died and no cause of action remains.

Prayer is allowed.

This application is dismissed as withdrawn with liberty to file appropriate application before the Court below, which shall be considered and disposed of by the Court below on its own merit.

(Sanjay Priya, J)

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