

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43783 of 2013

Arising Out of PS.Case No. -79 Year- 2013 Thana -BELA District- SITAMARHI

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1. Ashok Baitha, son of Ram Narayan Baitha
2. Guddu Baitha, son of Ram Narayan Baitha
3. Ram Narayan Baitha, son of late Biraspati Baitha
All resident of village - Khairba, P.S. - Bela, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Ram Chandra Yadav, son of Laldhari Yadav, resident of village -
Dimahi, P.S. - Bela, District - Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Binod Kr. 3, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 09-05-2017 This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the First Information Report of Bela P.S. Case No. 79 of 2013 dated 1.8.2013.

The report has been called for from the Police as well as the learned Chief Judicial Magistrate, Sitamarhi, about the present status of the case.

The report has been received from the Sub Divisional Judicial Magistrate, Sitamarhi, stating therein that the investigation has been completed and Final Report has been submitted by the police as mistake of fact. The case proceeded on



protest petition and after holding enquiry, the accused persons have been summoned to face trial for the offence under Section 364/34 of the Indian Penal Code. The next date fixed in the case is on 22.5.2017 for appearance.

In such circumstances, this application has become infructuous.

Accordingly, the same is dismissed as having become infructuous.

(Sanjay Priya, J)

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