

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35137 of 2014

Arising Out of PS.Case No. -31 Year- 2013 Thana -UCHAKAGAON District- GOPALGANJ

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Mohammad Jahid S/o Late Hasnain Ahmad Resident of Village Dih Karmaini, P.S. Patherwa, District Kushinagar (Uttar Pradesh).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Tarranum Jahan W/o Mohammad Jahid, D/o Mahbood Alam Resident of Village Asandapur, P.S. Uchkagaon, District Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer, Advocate
For the informant : Mr. Javed Aslam, Advocate
For the State : Mr. Madhuri Lata (App)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 09-08-2017 Heard learned counsel for the petitioner, State and opposite party No. 2.

Vide order dated 4.8.2017, this Court has indicated that in terms of the order dated 23.7.2015 Unchkagaon P.S. Case No. 31 of 2013 (Trial No. 4484 of 2014) is dependent upon withdrawal of Complaint Case No. 1281/2013 (Tr. No. 5001 of 2013).

Counsel appearing on behalf of the opposite party No. 2 submits that if the petitioner has already withdrawn complaint Case No. 1281 of 2013 (Tr. No. 5001 of 2013) then he may file appropriate application enclosing the copy of the order of



this Court and the Court below may pass appropriate order in terms of the order of this Court dated 23.7.2015. The order dated 23.7.2015 reads as follows:-

“It is agreed that the petitioner is ready to withdraw Complaint Case No. 1281 pending in the court of C.J.M., Kasheya, District Kushinagar (U.P.) and thereafter file an affidavit in the court below, upon which the present proceeding of Uchkagaon P.S. Case No. 31 of 2013 (Trial No. 4484 of 2014) pending in the court of the S.D.J.M., Gopalganj will stand dropped.”

In view of the order dated 23.7.2015 Uchkagaon P.S. Case No. 31/2013 is hereby directed to be dropped on the verification of fact by the court below that complaint Case No. 1281 of 2013 has already been withdrawn by the petitioner and certified copy of the same is produced before the court below.

With the aforesaid observation, the petition stands disposed of.

(Anil Kumar Upadhyay, J)

S.Pandey/-

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