

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42521 of 2013

Arising Out of PS.Case No. -3109 Year- 2007 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Kedar Prasad Singh S/O Late Yogendra Singh Resident Of Village-Manganpur, P.S- Bhagwanpur, District- Vaishali.
2. Nikesh Kumar Singh S/O Sri Kedar Pd. Singh Resident Of Village-Manganpur, P.S- Bhagwanpur, District- Vaishali.
3. Rishikesh Kumar Singh S/O Kedar Pd. Singh Resident Of Village-Manganpur, P.S- Bhagwanpur, District- Vaishali.
4. Ramesh Prasad Singh S/O Late Yogendra Singh Resident Of Village-Manganpur, P.S- Bhagwanpur, District- Vaishali.
5. Pankaj Kumar Singh S/O Sri Ramesh Pd. Singh Resident Of Village-Manganpur, P.S- Bhagwanpur, District- Vaishali.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Suresh Kumar Singh S/O Late Kameshwar Singh Resident Of Village-Manganpur, P.S- Bhagwanpur, District- Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the State : Mr. Parmeshwar Mehta (App)
For Opposite Party No.2 : Mr. Anil Jaiswal, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 08-04-2017 This application under Section 482 of the Code of Criminal Procedure has been filed for quashing of the order dated 03.06.2013 passed by the learned Judicial Magistrate 1st Class, Vaishali at Hajipur in connection with Trial No. 1158 of 2013 arising out of Complaint Case No. 3109 of 2007 whereby the learned Magistrate has dismissed the petition for discharge filed by the petitioners under Section 245 of the Code of Criminal Procedure.



After some arguments, learned counsel for the petitioners seeks leave to withdraw the present application with liberty to raise all the issues at the stage of trial. He submitted that under some confusion when the petitioners failed to appear before the court on 02.12.2016, their bail bond has been cancelled. He contended that the petitioners would appear before the court within three weeks from today and will never default in doing pairvi in the case.

Regard being had to the prayer made by the learned counsel for the petitioner, the application is disposed of as withdrawn.

However, in view of the submission made by the learned counsel for the petitioners, it is observed that in case the petitioners appear before the court within three weeks from today, they should be released on bail to the satisfaction of the court and allowed to contest the matter.

(Ashwani Kumar Singh, J)

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