

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5499 of 2017

=====

1. Aisa Khatoon, W/O Abul Hussain, Resident Of Village- Kamalpur, P.S.- Azam Nagar, District- Katihar	
2. Quorban, S/O Abul Hussain, Resident Of Village- Kamalpur, P.S.- Azam Nagar, District- Katihar	 Petitioners
Versus	
1. The State of Bihar	 Opposite Party

=====

Appearance :

For the Petitioners : Mr. Shailesh Kumar Singh, Adv.
For the Opposite Party : Mr. Ashok Kumar Singh 1, APP 216

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 03-03-2017 The petitioners were allowed permission to convert the application under Section 438 of the Criminal Procedure Code vide Cr. Misc. No. 5166 of 2014 by an order, dated 15.07.2014, to an application under Section 482 of the Criminal Procedure Code. However, the petitioners did not comply the order, hence, Cr. Misc. No. 5166 of 2014 was dismissed for non-compliance of the Court's order.

The present application is for restoration of Cr. Misc. No. 5166 of 2014.

After some arguments, the learned counsel for the petitioners seeks permission to withdraw this restoration application with liberty to file fresh petition under Section 482 of the Criminal Procedure Code.

This application is **dismissed as withdrawn** in connection with Complaint Case No. 960 of 2008 pending in the Court of the Chief Judicial Magistrate, Aurangabad.

(Birendra Kumar, J)

SA/-

U	√	T	√
---	---	---	---

