

**IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6285 of 2015**

Arising Out of PS.Case No. -11 Year- 2014 Thana -
AKBARPUR District- NAWADA

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Awadh Prasad Singh @ Awadh Singh Son of Sri Govind
Singh, Resident of Village - Pahadpur, P.S. - Akbarpur,
District - Nawada.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Nayan
For the Opposite Party/s : Mr. Rajiv Nayan(App)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 27-03-2018 By way of Interlocutory Application No. 879 of 2018, a
prayer has been made for permitting modification in para 1 of
the main petition.

The petitioner has challenged the order of cognizance
dated 05.01.2015 passed by the learned Chief Judicial
Magistrate, Nawada. During the pendency of the present
case, petition for discharge preferred before the Court below
was rejected.

Now, by filing the aforesaid Interlocutory Application,
the petitioner seeks to convert the present petition into one
against the order of discharge.

This Court is afraid, it cannot be permitted.

Accordingly, the present petition as well as



Interlocutory Application No. 879 of 2018 are permitted to be withdrawn for preferring a fresh petition, challenging the order refusing to discharge the petition.

The petition is dismissed as withdrawn with the liberty as aforesaid.

(Ashutosh Kumar, J)

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