

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19257 of 2018

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1. Raghu Nath Prasad, s/o Yamuna Prasad.
 2. Gayatri Devi, w/o Raghu Nath Prasad.
(Both resident of Mohalla Nayee Bazar P.S.- Bhagwanpur Bazar,
Dist- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Devi @ Soni, w/o Mahabir Kumar resident of Mohalla-Nayee
Bazar P.S.- Bhagwanpur Bazar, Dist- Saran at Chapra.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma, Advocate.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP(178).

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**
ORAL ORDER

2 26-09-2018 This application under Section 482 of the Code of Criminal Procedure has been filed by the petitioner for restoration of Cr. Misc. No. 32115 of 2017 which stood dismissed for want of prosecution on 20.03.2018.

I have heard learned counsel for the petitioner.

For the reasons stated in the restoration application, the application is allowed. Let Cr. Misc. No. 32115 of 2017 be restored to its original file.

Cr. Misc. No. 32115 of 2017

This application under Section 482 of the Code of Criminal Procedure has been filed by the petitioner for quashing the order dated 22.05.2015 passed by the learned Sub-Divisional



Judicial Magistrate, East Muzaffarpur in Trial No. 2128 of 2016 arising out of Complaint Case No. 1018 of 2014 whereby and where under the petitioners have been summoned to face trial for the offence punishable under Section 498-A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

At the outset, it has fairly been admitted by the petitioner that during the pendency of the present application charges have already been framed and trial is going on. It is also admitted that several witnesses have already been examined in the court of Magistrate.

In that view of the matter, I am not inclined to interfere with the order impugned. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J)

Pradeep/Sneha

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