

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5271 of 2016

Arising Out of PS. Case No.-67 Year-2014 Thana- MAHESI District- East Champaran

Subodh Thakur son of Fudan Thakur resident of village - Ghariyarichak,
Police Station - Mehshi, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Janak Ram son of late Sudan Baitha
3. Rakesh Kumar son of Janak Ram
4. Sanjeev Kumar, son of Janak Ram
5. Kamalesh Baitha, son of Deyali Baitha
O.P. No. 2 to 5 are resident of Village Ghariyarichak, Police Station - Mehshi,
District - East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	None
For the State	:	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date : 18-12-2018

Nobody appears on behalf of the petitioner.

Learned A.P.P. for the State is present.

2. The petitioner has moved the Court under
Section 482 of the Code of Criminal Procedure, 1973 for the
following relief:

*“ That this is an application for
quashing the order dated 29.9.2015
passed in Trial No. 7448 of 2014 arising
out Mehshi Police Station Case No. 67 of
2014 whereby and whereunder the
petition dated 13.03.2015 of the
informant/petitioner to frame the charge
under Section 307 of the I.P.C. including*



other sections as given in the first information report has been dismissed.”

3. Earlier by order dated 18.09.2018, the Court had called for the entire ordersheet as well as the case diary and also the present stage of the case. In terms thereof, the A.C.J.M.- 5, Motihari, East Champaran under Letter No. 251 dated 06.12.2018 has sent the entire ordersheet and the case diary and has also written that against the same order the petitioner has filed Criminal Revision No. 38 of 2018, which is pending before the A.D.J., Motihari.

4. Having considered the aforesaid and taking note of the fact that nobody is present to press the application and that the petitioner has already moved in revision before the court below, the present application stands dismissed.

5. The interim order dated 18.09.2018 stands vacated.

(Ahsanuddin Amanullah, J)

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