

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37447 of 2017

Arising Out of PS.Case No. -259 Year- 2013 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

- =====
1. Bittu Kumar son of Sachidanand Singh
 2. Vikash Kumar son of Sachidanand Singh

Both resident of village- Bhola Bigha, P. S. Islampur, District- Nalanda.

.... Petitioners

Versus

1. The State of Bihar
2. Ashok Kumar son of Karu Singh, resident of village- Bhola Bigha, P.S. Islampur, District- Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Bansh Dubey, Advocate

For the Opposite Party/s : Md. Ashlam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 20-04-2018

I. A. No. 1908 of 2017

Learned counsel for the petitioners seeks leave to withdraw the present interlocutory application in order to challenge the order dated 21.08.2017 passed by learned ACJM-III, Hilsa in Islampur P. S. Case No. 259 of 2013 by filing an application under Section 482 of the Code of Criminal Procedure.

Leave is granted.

Accordingly, Interlocutory Application No.1908 of 2017 is dismissed as withdrawn.

Cr. Misc. No. 37447 of 2017

This application under Section 482 of the Code of



Criminal Procedure has been filed by the petitioners for quashing the order dated 20.06.2017 passed by the learned 1st Additional District & Sessions Judge, Hilsa, Nalanda in Cr. Revision No.01 of 2017, arising out of Islampur P. S. Case No.259 of 2013 by which the order dated 10.11.2016 passed by learned ACJM-III, Hilsa in G. R. No. 2070 of 2013 corresponding to T. R. No. 180 of 2016 has been set aside.

After some arguments, Mr. Pramod Kumar, learned counsel appearing for the petitioner seeks leave to withdraw the present application with liberty to challenge the subsequent order dated 21.08.2017 passed by the learned Magistrate whereby he has taken cognizance of the offence by filing another application under Section 482 of the Cr.P.C.

Leave is granted.

The application is disposed of.

(Ashwani Kumar Singh, J.)

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