

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7092 of 2015

Arising Out of PS. Case No.-435 Year-2013 Thana- DARBHANGA SADAR District-
Darbhanga

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Imtiyaz Alam @ Guddu Son of Nasim Haide Resident of village - Kharua,
P.S. Sadar, District - Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha, Advocate

For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

2 15-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

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

*“That the present application is being filed for
quashing the order dated 3.04.2014 passed by the
learned Chief Judicial Magistrate, Darbhanga in
connection with Sadar (Bhalpatti O.P) case no. 435
of 2013 whereby and whereunder the learned court
took cognizance against the petitioner under section
302/34 of the Indian Penal Code without applying
his judicial mind.”*

3. After some arguments, learned counsel for the
petitioner submitted that he may be permitted to withdraw the
application with liberty to raise all points available to him,



including those in the present application, at the appropriate stage, before the Court below itself.

4. Learned APP does not oppose.

5. In view thereof, the application stands disposed off as withdrawn with liberty aforesaid.

6. It goes without saying that if the petitioner files any application before the Court below itself, at the appropriate stage, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J)

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