

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9785 of 2015

Arising Out of PS. Case No.-112 Year-2013 Thana- MANIYARI District- Muzaffarpur

1. Pramod Thakur, son of late Ram Vilash Thakur
2. Vinod Thakur son of Late Ram Vilash Thakur
3. Mantu Thakur son of Late Ram Vilash Thakur
4. Virendra Thakur son of late Ram Chandra Thakur
5. Baleshwar Thakur son of late Ram Chandar Thakur
6. Bahadur Thakur @ Ram Bahadur Thakur son of Kamal Dev Thakur
7. Ajay Kumar @ Ajay Thakur son of Baleshwar Thakur
8. Binay Thakur @ Binay Kumar son of Baleshwar Thakur resident of village - Mahanth Maniyari, P.S. - Manihari, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. State of Bihar
2. Sandeep Kumar son of Jhagdhari Sah resident of village - Mahanth Maniyari, P.S. - Manihari, District - Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh

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

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 14-08-2019 This application has been filed for quashing the order dated 17.12.2013 passed by the Sub-divisional Judicial Magistrate, West Muzaffarpur in connection with Maniyari P. S. Case No. 112 of 2013 dated 16.06.2013,



whereby cognizance has been taken under Sections 147, 148, 341, 323, 307, 379 and 504 of the Indian Penal Code.

Ms. Bela Singh, learned counsel for the petitioners submits that police after investigation did not submit charge-sheet under Section 307 of the Indian Penal Code but only under Section 323 and other allied / minor Sections of the Indian Penal Code.

Differing with the aforesaid report, cognizance has been taken under Section 307 of the I.P.C. also.

After some arguments, Ms. Bela Singh, learned counsel for the petitioners seeks permission to withdraw this petition in order to enable the petitioners to raise all the grounds urged in the present petition at the appropriate stage of discharge.

Should such an application be filed by the petitioners, the court below shall take into account all relevant facts and shall pass orders in accordance with law, without being prejudiced with the fact that the present petition has not been entertained by this Court.

This petition is dismissed as withdrawn with the



liberty aforesaid.

(Ashutosh Kumar, J)

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