

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20462 of 2014

Arising Out of PS. Case No.-63 Year-2011 Thana- PATLIPUTRA District- Patna

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1. Harihar Roy Son of Late Mahendra Roy
 2. Santosh Kumar Roy
 3. Sonu Kumar Roy Both sons of Harihar Roy
 4. Jyoti Sharma W/o Santosh Kumar Roy
- All resident of Indrapuri, Road no. 2A/18, P.S- Pataliputra, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Pankaj Kumar Sinha Son of Dr. Shailendra Kumar Sinha resident of Village- Kurji Malti Market, Police Station Digha, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baban Roy with Mrs. Prem Singh, Advocates
For the State	:	Mr. Jharkhandi Upadhyay, APP
For the O. P. No. 2	:	Mrs. Anuradha Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 22-02-2019

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners have 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
of the order dated 13.03.2014, passed by the learned
Judicial Magistrate Sri A. K. Ram, Patna in Patliputra
Police Station Case No. 63 of 2011 by which the
application filed under Section 245 of the Code of
Criminal Procedure has been dismissed, which has been
filed to discharge the petitioners in abovesaid case.”*



3. Learned counsel for the petitioners, at the very outset, submitted that in view of charges having been framed against the petitioners during the pendency of the application, they may be permitted to withdraw the present application with liberty to assail the subsequent order before the appropriate forum, in accordance with law.

4. In view thereof, as prayed for by learned counsel for the petitioners, the application stands disposed off as withdrawn with liberty aforesaid.

5. If the petitioners file any application with regard to any subsequent order which may have been passed by the Court below, the same shall be considered and disposed off, in accordance with law, on its own merits without being prejudiced by the present order.

6. Let the case diary be returned forthwith.

(Ahsanuddin Amanullah, J)

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