

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No. 3324 of 2015**

Arising Out of Complaint Case No.-253 Year-2008 Thana- AURANGABAD COMPLAINT  
CASE District- Aurangabad

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1. Kashi Giri @ Kashi Nath Giri, Son of Shankar Giri.
2. Moti Devi, Wife of Kashi Giri.
3. Tunna Giri, Son of Kashi Giri, All are Resident of Village-Chaurasi Mathia, P.S-Suryapura, District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Reeta Devi, Wife of Mukesh Giri, D/o Ramdas Giri, at present Village-Mai, Post-Panti, P.S-Raffiganj, District-Aurangabad.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar, Advocate  
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN  
AMANULLAH**

ORAL ORDER

3      26-04-2019                      Heard learned counsel for the petitioners and learned  
APP 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 this is an application for  
quashing of the order taking cognizance under  
Section 498(A) of the Indian Penal Code dated  
29.01.2009 passed by the learned S.D.J.M.,  
Aurangabad, which is arising out of a  
Complaint Case No. 253/2008 preferred by the  
O.P. No. 2, pending in the court of learned  
S.D.J.M., Aurangabad, in a most mechanical  
manner without any basis and in a total non-  
application of judicious mind.”*



3. Earlier by order dated 01.08.2018, the Court had called for a report with regard to the present stage of the case and the entire ordersheet of Complaint Case No. 253 of 2008. The same has been received from the Court of learned SDJM, Aurangabad under Letter No. 130 dated 08.08.2018, stating that the case is at the stage of final argument, since 23.06.2018.

4. In view thereof, learned counsel for the petitioners submitted that he may be permitted to withdraw the application.

5. Accordingly, as prayed for by learned counsel for the petitioners, the application stands disposed off as withdrawn.

**(Ahsanuddin Amanullah, J.)**

Anand Kr.

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