

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18263 of 2013

Arising Out of PS. Case No.-1317 Year-2008 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Kallutan Yadav @ Kaluttan and Ors. S/O Late Chhattu Bhagat Resident Of Village- Nandlal Chhapra, P.S.- Ram Krishna Nagar, District- Patna
 2. Sikandar Prasad S/O Kallutan Yadav Resident Of Village- Nandlal Chhapra, P.S.- Ram Krishna Nagar, District- Patna
 3. Premi Devi W/O Kallutan Yadav Resident Of Village- Nandlal Chhapra, P.S.- Ram Krishna Nagar, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Satish Mandal son of Mangal Mandal, Huskand of Poonam Devi, Resident of village and P.O.- Ratwara Bindwara P.S:- Oral District:- Muzaffarpur, At present address East Chitragupta Nagar, P.S. - Patrakar Nagar District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raja Surendra Mohan, Advocate
For the State	:	Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 25-01-2019

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 this quashing application is directed
against the impugned order dated 19.1.2009
passed by the learned Judicial Magistrate Ist
Class, Patna whereby and whereunder a prima
facie case under Section 420, 406, and 324 of the
Indian Penal Code and directed to issue summons*



against these petitioners alongwith other accused persons and put up this case on 6.4.2009.”

3. After some arguments, learned counsel for the petitioners submitted that he may be permitted to withdraw the application to move before the court below itself at the time of framing of charge.

4. Learned A.P.P. does not oppose the prayer.

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 In view thereof, as prayed for, the application stands disposed off as withdrawn with liberty aforesaid.

6. If such an application is filed by the petitioners before the court below, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

7. The lower court records be returned to the Court concerned forthwith.

(Ahsanuddin Amanullah, J)

Anjani/-

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