

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50159 of 2013

Arising Out of Case No.-4180 Year-2012 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Rahul Kumar 'Pani' S/O Late Satish Chaudhary Resident Of Village-
Hathsarganj, Near Shiv Mandir, Government School, Police Station Town
Hazipur, District- Vaishali.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Binod Kumar S/O Bishwanath Singh Resident Of Village- Mednimal Pokhra,
Mohalla Hajipur, Ps.- Hajipur, District- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Sinha with Mr. Shyam Sunder Pandey, Advocates
For the State	:	Mr. Mayanand Jha, APP
For the O.P. No. 2	:	Mr. Alok Kumar Alok with Mr. Hans Lal Kumar, Advocates

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 11-02-2019

Heard learned counsel for the petitioner; learned A.P.P.

for the State and learned counsel for the Opposite Party No. 2.

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

“That, this is an application for quashing the
order dated 16.3.13 taking cognizance under
sections 420/406 of the Indian Penal Code as
also under section 138 of the Negotiable
instrument act by the learned Chief Judicial
magistrate, Hazipur in complaint case No.
4180/2012.”



3. Earlier, in view of the submissions made on behalf of the petitioner, the Court had asked the court below to forward the photocopy of the complaint and the documents, if any, which were filed by the Opposite Party No. 2 at the time of complaint petition being presented for institution of the case before the court below. Pursuant thereto, the same has been sent and is on record.

4. At this stage, learned counsel for the petitioner submitted that he may be permitted to withdraw the application with liberty to raise all the points available to him at the appropriate stage before the court below.

5. Accordingly, the application stands disposed off as withdrawn with liberty aforesaid.

6. If the petitioner moves any application before the court below 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)

Anjani/-

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