

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38622 of 2019

Arising Out of PS. Case No.-316 Year-2017 Thana- BRAHMPURA District- Muzaffarpur

DR. SANDEEP SAURABH @ DR. SAURABH Son of Ramkripal Thakur
Resident of Dumra, P.S.- Dumra, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krishna Ray Son of Late Lakshman Ray Resident of Tajpur, P.S.- Tariyani,
District- Sheohar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Tiwary, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-07-2019 The petitioner seeks quashing of the order dated 17.07.2018 passed by the learned Chief Judicial Magistrate, Muzaffarpur in connection with Brahampura P.S. Case No. 316 of 2017 whereby cognizance has been taken under Section 304 of the Indian Penal Code.

Mr. Saket Tiwary, learned advocate for the petitioner, after some arguments, seeks permission to withdraw this petition in order to enable the petitioner to prefer a petition for discharge before the court below, if so advised.

Should such a petition be filed, the same shall



be disposed of by the court below taking into account all the factors and grounds urged in the present petition and the court below while passing the order shall not at all be prejudiced by the fact that the present petition has not been entertained.

The petition is dismissed as withdrawn with the liberty aforesaid.

(Ashutosh Kumar, J)

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