

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7437 of 2016

Arising Out of PS. Case No.-3 Year-2013 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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1. Sanjeev Kumar Son of Late Sita Ram Chaudhary, Resident of Mohalla-
Betwan Bazar, Kasturba Water Works Campus, P.S.- Kashim Bazar, District-
Munger.
 2. Puja Kumari, Daughter of Sri Sanjeev Kumar, Resident of Mohalla- Betwan
Bazar, Kasturba Water Works Campus, P.S.- Kashim Bazar, District-
Munger.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Shiva Singh, Widow of Late Bibhuti Prasad Singh, Resident of Village-
Amarpur Kaswa, P.S.- Piri Bazar, District- Lakhisarai, at present residing at
Mohalla- Bhikhanpur, Gumti No.3, P.S.- Tilkamanjhi, District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Nath Jha

For the Opposite Party/s : Mr.S.N.Shukla, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 14-11-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks quashing of the order dated

09.01.2015 passed by the Chief Judicial Magistrate,

Bhagalpur in connection with Kotwali (Tilkamanjhi) P. S.

Case No. 3 of 2013, whereby cognizance has been taken

for the offence under Section 306 of the Indian Penal Code.

It appears from the record sent by the court below

that the case is still pending for the appearance of the



accused persons. However, the aforesaid report is dated 16.11.2018.

Mr. Dhirendra Nath Jha, learned counsel for the petitioner is not in a position to state anything about the current stage of the case.

In any view of the matter, since it is an old case, it would be appropriate for the petitioner seeks his discharge, if already not filed and moved before the court below. Should such an application be filed, the court below shall look into the entire set of facts and shall pass a reasoned order in accordance with law, without being prejudiced by the fact that the present petition has not been entertained by this Court.

The petition stands disposed off with the aforesaid direction.

(Ashutosh Kumar, J)

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