

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4382 of 2015

Arising Out of PS. Case No.-231 Year-2013 Thana- MAHARAJGANJ District- Siwan

1. Munindra Nath Singh S/o Late Sheo Jatan Singh
2. Satish Singh @ Satish Kumar Singh S/o Munindra Nath Singh
Both Resident of Village- Sawan Bigrah, P.S. Draunda, District- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate with
Mr. Angad Kunwar, Advocate

For the State : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

3 08-05-2019

Heard Mr. Yogesh Chandra Verma, learned Senior
Counsel, along with Mr. Angad Kunwar, 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 the order
dated 01.11.2014 passed by Learned Additional Chief
Judicial Magistrate, Siwan in Maharajganj P.S. Case
No. 231/13 whereby and whereunder, learned
Additional Chief Judicial Magistrate was pleased to
take cognizance against the petitioners and date was
fixed for commitment.”*



3. At the very outset, learned counsel for the petitioners submitted that the petitioner no. 1 has died during the pendency of the application and, thus, the same on his behalf has become infructuous.

4. Learned counsel for the petitioners submitted that since there has been no further progress after taking of cognizance, he may be permitted to withdraw the application with liberty to file an application before the Court below itself, at the appropriate stage, for discharge.

5. Having regard to the aforesaid, the application stands disposed off as withdrawn with liberty aforesaid.

6. If an application is filed on behalf of petitioner no. 2 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)

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