

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22652 of 2015

Arising Out of PS. Case No.-1463 Year-2006 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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1. Md. Murshid and Ors. Son of Md. Asif @ Md. Ashu
 2. Md. Asif @ Md. Ashu son of Late Md. Mohsin
 3. Rabia Wife of Md. Asif
 4. Md. Arshad Son of Md. Asif
 5. Subi Khatoon wife of Md. Arshad
 6. Md. Jawed Son of Md. Asif
 7. Md. Shahid Son of Md. Asif
 8. Md. Nadeem Son of Md. Ashif. All residents of Village- Suain Balchari, P.S.- Raja Pakar, District - Vaishali.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Roshan Khatoon wife of Md. Murshid, D/o Md. Azim. Resident of village- Shubhapatti, P.S.- Mahua, District- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Mushtaque Alam, Advocate Mr. Ajay Kumar-1, Advocate
For the Opposite Party	:	Ms. Bela Singh, Advocate Mr. Rajeev Ranjan, Advocate
For the State	:	Mr. Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 04-09-2019 Heard the parties.

The petitioners have challenged the order of cognizance dated 13.08.2007, passed by the learned Sub-Divisional Judicial Magistrate, Hajipur (Vaishali) in Complaint Case No.1463 of 2006, whereby cognizance was taken against the petitioners for the offences under Sections 498A and 379 of the Indian Penal Code as well as Section 3/4 of the Dowry



Prohibition Act, on complaint of opposite party No.2.

On preliminary objection raised by learned counsel for the opposite party No.2, a report was called for from the court below, which would reveal that charges were framed in the complaint case aforesaid on 02.09.2012 itself and thereafter, two prosecution witnesses have further been cross-examined. Therefore, the stage of the trial had proceeded ahead, prior to challenge of the impugned order by filing this application in the year, 2015.

After some argument, learned counsel for the petitioners seeks permission to withdraw this application.

Accordingly, it stands dismissed as *withdrawn*.

(Birendra Kumar, J)

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