

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46939 of 2014

Arising Out of PS. Case No.-59 Year-2010 Thana- KONCH District- Gaya

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Pankaj Kumar Sharma S/o Sri Dinesh Singh @ Dahu Singh Resident of
Village Korkathu, P.S. Belaganj, District Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Pammi Kumari W/o Pankaj Kumar Sharma at present resident of Village
Mok, P.S. Koch, District Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajan, Advocate Mr. Sanjay Kumar Tiwari, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 14-02-2019

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Despite service of notice on opposite party no. 2 and
learned counsel entering appearance on her behalf, nobody
appeared when the matter was taken up and heard.

3. 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 on behalf of
the petitioner for quashing the order dated
17.04.2014 passed in the case bearing GR-
2136/10/2148/14 arising out of Koch P.S. Case
No. 59/2010 passed by the learned court of
S.D.J.M. Gaya, whereby and where under a*



petition dated 23.07.2013 U/S 239 of Cr. P.C. filed by the accused petitioner to discharge him, has been rejected.”

4. After some arguments, learned counsel for the petitioner submitted that he may be permitted to withdraw the application with liberty to raise all points available to him at the appropriate stage before the Court below itself.

5. In view thereof, the application stands disposed off with liberty aforesaid.

6. If the petitioner files an appropriate 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)

P. Kumar

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