

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 28763 of 2014**

Arising Out of Complaint Case No.-577 Year-2011 Thana- SIWAN COMPLAINT CASE  
District- Siwan

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Vinod Mahto, Son of Ram Chandra Mahto, resident of Village - Padampur,  
P.S. - Mashrakh, District - Saran (Chapra).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Leelawati Devi, D/o - Rekhai Mahto, W/o - Vinod Mahto at present r/o  
Village - Deoria, P.S. - Maharajganj, District - Siwan.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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

**ORAL JUDGMENT**

**Date : 04-01-2019**

Heard learned counsel for the petitioner; learned A.P.P.  
for the State and learned counsel for the opposite party no. 2.

2. 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 for  
quashing the order dated 21.10.2011 passed in  
Complaint Case No. 577/11 by the learned  
S.D.J.M., Siwan whereby and whereunder  
cognizance has been taken against the petitioner  
and others for the offences u/s 498 A of the I.P.C.  
and 4 of the D.P. Act.”*

3. After some arguments, learned counsel for the  
petitioner submitted that he may be permitted to withdraw the



application with liberty to move before the Court below at the appropriate stage and raise all his grievances there.

4. In view thereof, as prayed for by learned counsel for the petitioner, the application stands disposed off as withdrawn with liberty aforesaid.

5. If the petitioner files any application before the Court below, at the appropriate stage, raising all points available to him, the same shall be considered and disposed off on merits, in accordance with law, without being prejudiced by the present order.

**(Ahsanuddin Amanullah, J.)**

P. Kumar

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