

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33651 of 2013

Arising Out of Case No.-733 Year-2007 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Lalit Narayan Choudhary S/O Late Bhuneshwar Choudhary Resident Of
Village- Sinarbani, Police Station- Bhargama in the district of Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Shailendra Kumar S/O Braj Kishore Mahto Resident Of Village- Shiripur,
Police Station- Ghosi in the District of Jehanabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar and
Mr. Navin Kumar, Advocates

For the State : Mr. Jharkhandi Upadhyay, APP

For the O.P. No. 2 : Mrs. Archana Shahi and
Mr. Alok Kumar Shahi, Advocates

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date : 01-02-2019

Heard learned counsel for the petitioner; Mr. Jharkhandi
Upadhyay, 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 24.3.2009 passed by learned Chief Judicial
Magistrate, Jehanabad in Complaint Case No. 733
of 2007, whereby after taking cognizance, sommons
were ordered to be issued against the accused*



persons including the petitioner finding the case true Prima facie under Sections 323, 379, 427, 447 and 504 of the I.P.C.”

3. After some arguments, learned counsel for the petitioner submitted that he may be permitted to withdraw the application with liberty to file a proper application before the court below itself at the appropriate stage.

4. In view thereof, as prayed for, the application stands disposed off as withdrawn with liberty aforesaid.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, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

6. Let the Lower Court Records be returned forthwith.

(Ahsanuddin Amanullah, J)

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