

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.1449 of 2017

Arising Out of PS. Case No.-281 Year-2005 Thana- GOPALGANJ TOWN District-
Gopalganj

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1. Farooque Azam @ Bhuttu @ Farooque Azam Ansari, S/o Samsul Haque.
2. Umesh Yadav, Son of Shyam Nandan Rai.
Both R/o Vill.-Banjari, P.S.-Gopalganj, District-Gopalganj (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 08-07-2019 The petitioners have challenged the order dated 25.05.2006 passed by the learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj P.S. Case No. 281 of 2005 instituted for the offences under Sections 25(1b)(a) and 26 of the Arms Act, whereby cognizance has been taken against them under the aforesaid sections as also against the revisional order dated 21.09.2006 passed by the learned Additional District Judge-VI, Gopalganj in Revision Case No.



104 of 2006, whereby the challenge to the aforesaid order of cognizance has failed.

2. Mr. Jitendra Kumar Singh, the learned Advocate for the petitioners, after some arguments, seeks permission to withdraw this application in order to enable the petitioners to raise all the grounds urged in the present petition at the time of discharge, if so advised.

3. Should such a petition is filed, the Court below shall take into account all relevant facts including that the petitioners are holder of license against the weapons which are said to have been recovered and shall pass order in accordance with law, without being prejudiced by the fact that the present application has not been entertained.

4. Dismissed as withdrawn with the liberty aforesaid.

(Ashutosh Kumar, J)

Praveen-II/-

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