

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.824 of 2017

Arising Out of PS. Case No.-3489 Year-2009 Thana- COMPLAINT CASE District- Araria

Sharda Devi Wife of Mahendra Choudhary @ Mahendra Mahtha, daughter of Bhola Choudhary, presently residing at Mohalla- Bhagat Tola Behind Mata Asthan, P.O. and P.S. Araria, District- Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Director General Of Police, Bihar, Patna
2. The State of Jharkhand through the Director General of Police, Jharkhand, Ranchi.
3. Superintendent of Police, Deoghar, Jharkhand.
4. Officer-in-Charge, Deoghar Police Station, Deoghar Jharkhand.
5. Mahendra Choudhary @ Mahendra Mahtha, Son of late Girish Mahtha, resident of Mohalla- Barmasia, Adjacent, east to the Old Monika Gas Godown, Ward No. 10, Deoghar, P.S.- Deoghar, District- Deoghar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	None
For the Respondent/s	:	Mr. Md. N.H. Khan Sc-1

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

- 2 10-01-2020 The learned counsel representing the State of Jharkhand points out from the records of the instant case that a counter affidavit has been filed on behalf of the respondent no.3 (Superintendent of police Deoghar, Jharkhand). It is pointed out that paragraph no. 12 of the counter affidavit filed on behalf of Superintendent of police Deoghar, records the fact that accused Mahendra Choudhary @ Mahtha son of Girish Mahtha resident of Barmasia, Deoghar, P.S. Sub Division, has been arrested and produced in the Court of Sub Divisional Judicial



Magistrate, Araria, on 13.07.2017 and also remanded to the judicial custody. It is his submission that in view of such affidavit being on record the prayer for a direction to the Authority to execute the warrant of arrest in respect of respondent no.5 (Mahendra Choudhary @ Mahendra Mahtha) has become infructuous.

No rejoinder has been filed controverting the stand of the State taken in the counter affidavit.

Today, when the matter is called out, none appears on behalf of the petitioner.

Since none appears on behalf of the petitioner, in the circumstances, without going into the merits of the submissions advanced on behalf of the State, the Cr. Writ petition is dismissed for want of prosecution.

(Madhuresh Prasad, J)

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