

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54968 of 2015

Arising Out of PS. Case No.-352 Year-2014 Thana- SUGAULI District- East Champaran
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1. Sadre Alam @ Sadre Alam Khan and Ors. son of Tirantaj Khan, resident of village- Mansingha Tola Nakardei, P.S. Sugauli, District East Champaran
2. Jahangir Khan, S/p Late Tahuwar Khan, resident of village- Mansingha Tola Nakardei, P.S. Sugauli, District East Champaran
3. Aamir Khan @ Amir Khan, son of Ojjar Khan, resident of village- Dariyapur, P.S.- Sangrampur, District- East Champaran
4. Md. Saifullah Khan @ Saffullah Khan, son of Late Safi Ahmad Khan, resident of village- Nakardei, P.S. Sugauli, District East Champaran
5. Deoraj son of Guari Shankar Prasad, resident of Civil Court Area, P.S. Motihari Town, District- East Champaran

... .. Petitioners

Versus

1. State Of Bihar and Anr
2. Samshul Hoda, son of Saiyad Ahshan Ahmad, resident of village- Nakardei, P.S. Sugauli, District East Champaran

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr. Sandip Kumar, Adv.
	:	Mr.Alok Kumar @ Alok Kr Shahi, Adv.
For the Opposite Party/s	:	Mr.Yogendra Kumar, APP
For opposite party no. 2	:	Mr. Ziyaul Hoda, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

8 02-03-2021 Heard Mr. Sandip Kumar, learned counsel for the

petitioners and Mr. Ziyaul Hoda, learned counsel for the

opposite party no. 2. The state is represented by learned

APP.

This is an application seeking quashing of the

F.I.R. of Sugauli P.S. Case No. 352 of 2014 instituted for



the offences under Sections 447, 406 and 420 of the Indian Penal Code.

Learned counsel for the petitioners has argued that from the bare reading of the First Information Report, it would appear to be a dispute of civil nature.

Mr. Ziyaul Hoda, learned counsel for the opposite party no. 2, however, has stated that the police has submitted chargesheet whereupon cognizance now has been taken and the case has gone in trial.

After some argument, Mr. Sandip Kumar, learned counsel for the petitioners seeks permission to withdraw this petition in order to enable the petitioners to raise all the grounds at the appropriate stage of trial.

Needless to state such ground shall be taken into consideration by the Trial Court.

The petition is dismissed as withdrawn with above noted observation.

(Ashutosh Kumar, J)

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