

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.130 of 2021

Arising Out of PS. Case No.-558 Year-2018 Thana- JOGAPATTI District- West Champaran

1. MD. ABULAISH @ ABULAISH ANSARI S/o Samsuddin Ansari Resident of Village- Dihi Dhabelwa, P.S.- Yogapatti, Distt- West Champaran
2. Md. Gulfam @ Gulfam Miyan S/o Jainullah Miyan Resident of Village- Dihi, Dhabelwa, P.S.- Jogapatti, Distt- West Champaran.
3. Hassan Ansari @ Hassan Miyan S/o Late- Farman Miyan Resident of Village- Dihi Dhabelwa, P.S.- Yogapatti, Distt- West Champaran
4. Lal Mohammad @ Lal Mohammad Miyan S/o Late Abdullah Miyan Resident of Village- Dihi Dhabelwa, P.S.- Yogapatti, Distt- West Champaran
5. Md. Lukman @ Lukman Sah S/o Kasim Sah Resident of Village- Dihi Dhabelwa, P.S.- Yogapatti, Distt- West Champaran
6. Md. Gayasuddin @ Gayasuddin Miyan S/o Farman Miyan Resident of Village- Dihi Dhabelwa, P.S.- Yogapatti, Distt- West Champaran
7. Md. Rafique @ Rafique Miyan S/o Late Khodin Miyan Resident of Village- Dihi Dhabelwa, P.S.- Yogapatti, Distt- West Champaran
8. Kamrul Hoda S/o Ahmad Miyan Resident of Village- Dihi Dhabelwa, P.S.- Yogapatti, Distt- West Champaran
9. Md. Ayub @ Ayub Ansari S/o Islam Ansari Resident of Village- Dihi Dhabelwa, P.S. Yogapatti, Distt- West Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE CHIEF SECRETARY, GOVT. OF BIHAR, PATNA Bihar
2. The Addl. Chief Secretary, Department of Home, Govt. of Bihar, Patna Bihar
3. The Director General of Police, Government of Bihar, Patna Bihar
4. The Inspector General of Police, Tirhut Zone, Muzaffarpur Bihar
5. The Superintendent of Police, West Champaran at Bettiah Bihar
6. The Deputy Superintendent of Police, Bettiah, Distt- West Champaran Bihar
7. The Station House Officer (SHO), Yogapatti Police Station District- West Champaran Bihar
8. Nurul Nesha W/o Md. Umar Resident of Village- Dihi Dhabelwa, P.S.- Yogapatti, Distt- West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Md. Anis Akhtar, Adv.
For the Respondent/s	:	Mr. Iqbal Asif Niyazi, AC to GP5
	:	Mr. Shahbaj Alam, AC to GP5

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 28-03-2023 In compliance of order dated 21.03.2023, counsel for petitioner has filed Vakalatnama with no objection which is directed to be accepted in the court itself.

Joint Registrar (list) is directed to change the name in the soft copy of this court.

Heard learned counsel for the petitioner and learned counsel for the State.

The present case has been filed for quashing the F.I.R. of Yogapatti P.S. Case No. 558/2018 (G.R. No.5340/18) lodged under Sections- 147, 149, 341, 323, 324, 354B, 307, 504, 506 of the I.P.C. read with Section 27 of the Arms Act as well as for directing the respondent authorities to conduct an independent inquiry through Senior Superintendent of Police relating to the above mentioned case.

Counsel for the petitioner fairly submits that during pendency of the present writ application, charge-sheet has been filed as well as cognizance has been taken.

Counsel for the State and informant has also appeared in this case. It has been informed by counsel for informant that not only charge-sheet has been filed and cognizance has been taken rather charge has also been framed in this case which has

not been denied by counsel for petitioner.

In this background, counsel for the petitioner seeks permission to withdraw this case. Liberty is hereby granted that for his grievances, he may move before the appropriate forum at appropriate stage.

With this observation, this Cr. Writ Application stand disposed of.

(Dr. Anshuman, J)

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