

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11395 of 2021

Arising Out of PS. Case No.-60 Year-2019 Thana- GAUTAMBUDHNAGAR District- Siwan

1. SAHANA KAHTOON Wife of Shaukat Ali Resident of Village - Rauza Gaur, P.S.- G.B. Nagar, Distt - Siwan.
2. Shaukat Ali Son of Mohammad Ali Resident of Village - Rauza Gaur, P.S.- G.B. Nagar, Distt - Siwan.
3. Munni Bibi Wife of Late Muhammad Ali Resident of Village - Rauza Gaur, P.S.- G.B. Nagar, Distt - Siwan.
4. Asgar Ali @ Mastan Baba Son of Late Md. Ali Resident of Village - Rauza Gaur, P.S.- G.B. Nagar, Distt - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-09-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Learned counsel for the petitioners submits that from bare perusal of the FIR, it would manifest that the same has been instituted under various Sections of the IPC including under the provisions of the Drug and Cosmetic Act, 1950, it is next submitted that the law is well settled that an FIR is not maintainable under the Drug and Cosmetic Act for which a complaint is required to be filed but still the informant in order to coerce the petitioners into submission has instituted the



present case, it is further submitted that the petitioners will raise all these issues before an appropriate forum at an appropriate stage and thus seeks permission to withdraw the quashing application.

3. Permission is accorded.

4. Accordingly, the present quashing application is dismissed as withdrawn.

(Satyavrat Verma, J)

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