

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11252 of 2016

Arising Out of PS. Case No.-115 Year-2014 Thana- DARAUNDA District- Siwan

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1. Shushum Kumari Daughter of Sri Bisundeo Ram
 2. Sunanda Kumari@Sunanda Devi Daughter of Sri Bisundeo Ram Both Resident of Village-Sawan, Bigrah, PS Daraunda, District Siwan.
- Petitioner/s

Versus

1. The State of Bihar
 2. Sudarshan Manjhi son of late Jhotik Manjhi Resident of Village- Lopar ,PS Daraunda, District Siwan.
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-09-2023 1. Learned counsel for the petitioners submits that petitioner no. 1 died during the pendency of this application, hence, her application has become infructuous now.
2. Heard learned counsel for the petitioner no. 2 and learned A.P.P. for the State.
3. Learned counsel for the petitioner no. 2, after some arguments, seeks permission to withdraw this application with liberty to raise all the issues at the time of framing of charge as it has been submitted that petitioner no. 2 is married sister-in-law of the deceased and the husband, in-laws and others after facing full-fledged trial were acquitted by the learned trial court. It is further submitted that even the allegations against the petitioner no. 2 were general and omnibus in nature.



4. Permission is accorded.

5. The Court expects that in the event if the petitioner no. 2 files an application seeking discharge, the learned trial court while adjudicating the discharge application shall consider the case of the petitioner no. 2 independently without being prejudiced by the fact that this application has been permitted to be withdrawn and also will take into consideration the submissions made by the learned counsel for the petitioner no. 2 which stands recorded hereinabove.

6. Accordingly, this application is dismissed as withdrawn.

(Satyavrat Verma, J)

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