

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21883 of 2016**

Arising Out of PS. Case No.-470 Year-2011 Thana- BUXAR COMPLAINT CASE District-
Buxar

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1. Bishun Singh @ Bishanu Singh @ Chhoti and Ors Son of Wakil Singh
 2. Wakil Singh Son of Nanhoo Singh
 3. Sushila Devi Wife of Wakil Singh
 4. Harnandan Singh@Harinandan Singh son of Late Nageena Singh
 5. Sukhdeo Devi@Sukhdasiya Devi Wife of Harinandan Singh
 6. Sapana Devi wife of Bishanu Singh All of resident of Vilalge- Dahpura, Basawan PS Sikraul, District Buxar.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Nisha Kumari Wife of Krishna Knat Singh@Badak yadav Resident of Vilalge-Dahpura, Basawan PS Sikraul, District Buxar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nand Singh
For the Opposite Party/s : Mr.Indu Kumari Srivastavapp

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER**

6 13-07-2023 This application has been filed for quashing the order dated 03.02.2016 passed by the learned District and Sessions Judge, Buxar passed in Cr. Revision No. 190 of 2015 by which the court below dismissed the petition of revisionist/accused persons for discharge directed against the order dated 08.07.2015 passed by learned S.D.J.M., Buxar in Complaint Case No. 470(c) of 2011, Tr. No. 1030 of 2015.



2. Learned counsel for the petitioners submits that the petitioner no. 4 has died and therefore he seeks permission to withdraw the application on behalf of petitioner no. 4.

3. Permission is granted.

4. This application is dismissed as withdrawn only with regard to the petitioner no. 4.

5. So far as petitioners no. 1, 2, 3, 5, 6 are concerned, they are the relatives of the husband of the opposite party no. 2. There is general and omnibus allegation against them.

6. The learned counsel for the petitioners have relied upon the judgment of Hon'ble Supreme Court in the case of ***Kahkashan Kausar @ Sonam vs State of Bihar 2022 SCC OnLine SC 162.***

7. I have considered the submissions of the parties and also perused the materials available on record. There are general and omnibus allegation against the petitioners.

8. Considering the aforesaid facts of this case and also considering the law laid down by the Hon'ble Supreme Court in the case of ***Kahkashan Kausar @ Sonam vs State of Bihar (supra)***, this application is allowed. The order dated 03.02.2016 passed by the learned District and Sessions Judge, Buxar passed in Cr. Revision No. 190 of 2015 and all the



consequential are hereby quashed with respect to these
petitioners only in the interest of justice.

(Sandeep Kumar, J)

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