

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40674 of 2015

Arising Out of PS. Case No.-869 Year-2009 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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Amirika Devi Wife of Jagannath Choudhary resident of village - Bishanpur Bazar, P.S. Kumarkhand, District - Madhepura.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Baijnath Choudhary son of Late Thakur Choudhary
3. Subhas Choudhary son of Baijnath Choudhary
4. Pintu Choudhary son of Subhash Choudhary
5. Janki Devi wife of Baijnath Choudhary
6. Rubi Devi wife of Munna @ Hem Kumar Choudhary All residents of Bishanpur Bazar, P.S. Kumarkhand, District - Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Sanjay Kr.Tiwary 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-02-2023 No one appears on call.

This is an application for quashing of the order dated 29.7.2015 passed by the learned Judicial Magistrate, 1st Class, Madhepura in Complaint Case No. 869 of 2009.

After filing of the complaint, cognizance was taken under Sections 448, 323, 379 of the Indian Penal Code and Section 3/4 of the Witch Act against the opposite parties.

On 17.12.2014, an application under Section 246(6) of the Cr.P.C. was preferred for examining of the witnesses namely, Usha Devi and Munni Devi which was allowed with



cost on 17.4.2015.

This was followed by the orders dated 23.6.2015 and as the said witnesses could not be brought to the Court, the same was closed.

On 28.7.2015, another petition of the same prayer was made which was rejected on 29.7.2015.

It seems that lots of water may have flown down the ganges and the trial may have concluded and/or would be at a final stage.

However, as no one has appeared , the petition stands dismissed for non-prosecution with liberty to raise all the points before the Trial Court at an appropriate stage .

(Rajiv Roy, J)

Ajay Singh/-

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