

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41403 of 2023
In
Criminal Writ Jurisdiction Case No.1679 of 2017

Arising Out of PS. Case No.-109 Year-2013 Thana- BEUR District- Patna

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SUNITA DEVI

... .. Petitioner/s

Versus

The State of Bihar through the Chief Secretary Government of Bihar Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Girjanand Prasad

For the Opposite Party/s : Mr.Asha Devi

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-07-2023 Heard learned counsel for the parties.

This application has been filed for restoration of Cr.
WJC No. 1679 of 2017, which was dismissed for non-
prosecution vide order dated 23.03.2023.

For the reasons mentioned in this application, it is
allowed and Cr. WJC No. 1679 of 2017 is restored to its original
file.

Ref:- Cr. WJC No. 1679 of 2017

The petitioner who is an absconder wants quashing
of the F.I.R. on the ground that the other accused have been
acquitted in this case and this case is of Section 302 of the
Indian Penal Code and the petitioner is the mother-in-law of the
deceased.

This Court cannot accept the request of the
petitioner and the evidence which has come in the another
sessions trial cannot be looked in the present case without
putting the petitioner on trial.



Accordingly, this application is dismissed.

The petitioner is directed to surrender so that the trial is conducted at the earliest. If the petitioner doesn't surrender within two weeks from today, the Senior Superintendent of Police (S.S.P), Patna will take all steps for arresting the petitioner as the accused is an absconder in a case registered in the year 2013.

Let a copy of this order be communicated to the Senior Superintendent of Police (S.S.P), Patna through FAX or e-mail forthwith.

(Sandeep Kumar, J)

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