

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58411 of 2015

Arising Out of PS. Case No.-3111 Year-2012 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. Lalmati Devi and Ors Wife of Kanchan Thakur
 2. Kanchan Thakur Son of Late Jagu Thakur Both are resident of Kakarkudn, P.S. and District-Gopalganj
 3. Abhay Kumar Dubey @ Abhay Kumar Son of Late Ganesh Dubey R/o Village Kakarkund, P.S. and District-Gopalganj

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Nikhil Singh Son of Bacha Singh R/o Village Chawahi Khas Post Office - Gopalganj, P.S. Manjha Gardh, District Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mishra
For the Opposite Party/s : Mr. J.N.Thakurapp

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The learned counsel for the petitioners after arguing vehemently for some time seeks permission to withdraw the Quashing Application with liberty to raise all issues at the time of framing of charge as it has been submitted that from perusal of the allegation as alleged in the complaint it would manifest that the dispute is purely civil to which a criminal colour has been given and prior to instituting of the complaint the O.P. No. 2 had already instituted a Title Suit No. 751 of



2012 which is pending adjudication before the learned Sub Judge-9, Gopalganj.

3. Permission is accorded.

4. The Court expects that in the event, if discharge application is filed on behalf of the petitioners, the learned Trial Court shall look into the plea raised by the petitioners which stands recorded hereinabove along with the documentary evidence, if any.

(Satyavrat Verma, J)

GauravSinha/-

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