

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51211 of 2017

Arising Out of PS. Case No.-72 Year-2016 Thana- MANSI District- Khagaria

Binod Kumar S/o Late Shyam Sundar Prasad, resident of Village Chakhusaini, P.S.- Mansi, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajeev Kumar, S/o Bhavanand Singh, Resident of Village- Dharmchak, P.S.- Mansi, District- Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar, Advocate
For the Opposite Party/s : Mr. Ataur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-12-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. Learned counsel for the petitioner submits that the dispute is purely civil in nature to which a criminal colour has been given. It is further submitted that the case has been instituted ten years after the alleged occurrence. It is next submitted that petitioner has not signed any agreement with regard to the allegation that opposite party no. 2 had given Rs.1,10,000/- to the accused persons when their mother was ill. Learned counsel submits that till date charges have not been framed.

3. At this stage, learned counsel for the petitioner seeks permission to withdraw the present application with



liberty to raise all issues at the time of framing of charge if charges till date have not been framed.

4. Permission is accorded.

5. Accordingly, this application is dismissed as withdrawn.

6. The Court expects that the learned trial Court while deciding the discharge application will appreciate the facts of the case in accordance with law.

(Satyavrat Verma, J)

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