

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16080 of 2016

Arising Out of PS. Case No.-130 Year-2015 Thana- NATHNAGAR District- Bhagalpur

Vishnu Sah son of Prakash Sah, resident of Mohalla- Noorpur, P.S.- Madhusu-
danpur Nathnagar, District- Bhagalpur.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Suresh Prasad Sah son of Late Rajendra Sah, resident of Village- Chatma
Bazar, P.S.- Shambhuganj, District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s: Mr.Sucheta Yadavapp

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 13-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor.

2. After some arguments, learned Senior counsel for
the petitioner seeks and is granted permission to withdraw this
application.

3. Accordingly, this application is dismissed as with-
drawn with liberty to petitioner to raise all the grounds at the
stage of framing of charge.

4. The court below will not be prejudiced by the fact
that the present application against the order taking cognizance
is permitted to be withdrawn and it will decide the case on its
own merits and will pass an order in view of the law laid down



by the Hon’ble Supreme Court in the case of *Kanchan Kumar*
Vs. State of Bihar (2022) 9 SCC 577.

(Sandeep Kumar, J)

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