

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.1118 of 2017

Arising Out of PS. Case No.- Year-1111 Thana- District-

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Ranjan Kumar Sah @ Ranjan Kumar

... .. Petitioner/s

Versus

The State Of Bihar and Ors

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Sinha -2

For the State : Ms. Rita Verma

For the private Opposite parties : Mr. Brij Nandan Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 11 22-08-2023 1. Heard learned Counsel for the parties concerned.
2. The petitioner has approached this Court for setting aside the ex-parte order, dated 12.12.2016, passed, in Misc. Case No. 107 of 2015/Trial No. 334 of 2016, by learned Principal Judge, Family Court, Banka.
3. Admittedly, the petitioner has not taken any steps for setting aside the ex-parte order, as provided under the proviso to Section 126 (2) of the Code of Criminal Procedure, 1973, and has approached this Court for setting aside the ex-parte order, dated 12.12.2016.
4. In view of the legal provision, available to the petitioner under the proviso to Section 126 (2) of the Code of Criminal Procedure, 1973, learned Counsel for the petitioner seeks permission to withdraw this application



and file a petition before the learned Family Court,
Banka.

- 5. Permission is granted.
- 6. This application is dismissed as withdrawn, with the
aforesaid liberty.
- 7. It is made clear that if the petitioner files an application
under Section 126 (2) of the Code of Criminal Procedure,
1973, along with a petition for condonation of delay
within a period of fifteen days from today, the same shall
be considered by the learned Family Court, Banka, in
accordance with law.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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