

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58623 of 2015**

Arising Out of PS. Case No.-767 Year-2006 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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1. JATASHANKAR SINGH and ORS.
 2. Suiman Kumar Singh
 3. Chetan Kumar Singh 1 to 3 Sons of Late Haridwar Singh Resident of village Sardiha Police Station Bakhtiyarpur Distt Saharsa. At present Resident of New Colony Ward No. 5 Police Station Saharsa District Saharsa
 4. Rajesh Kumar Singh @ Huro Singh Son of Late Mohan Prasad Singh Resident of village Dhamsaini, Saharsa, At Present Kaithpura Post Barahat Distt Banka
 5. Raj Kumar Singh Son of Late Baleshwar Singh Resident of village Bhasrauli Police Station and Distt Saharsa
 6. Dinesh Sah Son of Nunu Lal Sah Resident of Sarahi Police Station and Distt Saharsa

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Kharg Bahadur Singh Son of Late Guneshwar Prasad Singh Resident of village New Colony Ward No. 5 Police Station Saharsa Distt Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Satish Kumar Singh, Adv
For the Opposite Party/s :		Mr.Bharat Bhushan, APP
For Opposite Party No.2:		Mr.Pramod Mishra, Adv

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 13-09-2023 At the outset, learned counsel for the petitioners submits that insofar as petitioner no. 2 is concerned, he has passed away during the pendency of the instant application. The application on his behalf has become infructuous.

2. The proceedings, therefore, shall continue only in respect of petitioner nos.1, 3, 4,5 and 6.



3. The present application has been filed seeking quashing of the order dated 29-08-2015 passed by learned Sessions Judge, Saharsa in Cr. Rev. No. 265 of 2007/98 of 2015 whereby and whereunder the learned Sessions Judge has set aside the order dated 08.06.2007 passed by learned SDJM, Saharsa in Complaint case no. 767C/2006 dismissing the complaint case under Section 203 Cr. P.C.

4. There is no dispute that the stage of the case has now changed. In view, thereof, the petitioners' counsel submits that petitioners would be availing remedy at the appropriate stage in the trial.

5. With such liberty, application is disposed of

(Madhuresh Prasad, J)

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