

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34409 of 2017

Arising Out of PS. Case No.-2637 Year-2011 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Raju Kumar Singh @ Raju Singh S/o Late Jewan Singh Resident of Village -
Dubauliya, P.S. Nautan, Dist - West Champaran.

... .. Petitioner/s

Versus

1. State Of Bihar.
2. Budh Ram S/o Late Nakched Ram Resident of Village - Belbanwa Post -
Bahagi, Ratanpura, P.S. Bairiya, Dist - West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Gauri Shankar Thakur, Advocate
For the State	:	Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

7 12-08-2024 The present petition has been preferred by the petitioner under Section 482 Cr.PC against the impugned order dated 21.09.2016 passed in Complaint Case No. 2637(C) of 2011, whereby learned Judicial Magistrate, 1st Class, Sri Sanjay Kumar Rai, has taken cognizance of offence punishable under Section 406 and 420 of the Indian Penal Code against the Petitioner.

2. Prior to the present order, learned Magistrate had dismissed the complaint petition *vide* order dated 24.06.2013 under Section 203 Cr.PC. However, the complainant preferred Cr. Revision No. 184 of 2013 before learned Additional Sessions Judge, Bettiah, West Champaran, wherein learned



Sessions Court set aside the order dated 24.06.2013 passed by learned Magistrate earlier and directed the learned Magistrate to pass order after fresh inquiry.

3. At this stage, learned counsel for the Petitioner is seeking permission to withdraw the present petition, so that he can prefer Criminal Miscellaneous Case under Section 482 Cr.PC against the Revisional Order dated 05.04.2016 passed by learned Additional Sessions Judge-III, Bettiah, West Champaran in Criminal Revision No. 184 of 2013.

4. Permission is accorded.

5. Accordingly, the present petition is dismissed as withdrawn with liberty to the petitioner to prefer Criminal Miscellaneous case under Section 482 Cr.PC against the Revisional Order dated 05.04.2016 passed by learned Additional Sessions Judge-III, Bettiah, West Champaran in Criminal Revision No. 184 of 2013.

(Jitendra Kumar, J.)

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