

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50686 of 2018

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

Md. Rajjak Son of Md. Mansoor Resident of Village- Goraiya Bathan, Police
Station- Gogri, District- Khagaria.

... .. Petitioner/s

Versus

- 1. State Of Bihar
- 2. Sifat Khatoon Daughter of Md. Insan resident of Village- Chodli, Police
Station- Beldaur, District- Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Adv.
For the Opposite Party/s : Mr. Anish Chandra, Adv.

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

2 08-05-2024 Learned Advocate for the petitioner submits that the
instant Cr. Misc. filed under Section 482 of the Cr.P.C. is not
maintainable against an order passed under Section 127 of the Cr.P.C.
Therefore, he may be permitted to withdraw the instant Cr. Misc.
case with liberty to file an appropriate application under Article 227
of the Constitution of India.

2. Prayer is considered and allowed.

3. The instant Cr. Misc. case be dismissed as withdrawn
with liberty to the petitioner to file appropriate application against the
impugned order subject to the law of limitation.

(Bibek Chaudhuri, J)

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