

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38019 of 2023

Arising Out of PS. Case No.-525 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Amit Kumar Son Of Rameshwar Mahto Resident Of Village - Singhia
Buzurg, P.S.- Samastipur Muffasil, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Munchun Devi Wife of Rakesh Kumar Resident of Village - Chhatauna
Suratpur, P.S.- Samastipur Muffasil, District - Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Khushi Awadh- Advocate Mr.Jitendra Narain Sinha- Advocate
For the Opposite Party/s :		Mr. Dilip Kumar No. 1- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-01-2024 1. Heard learned counsel for the petitioner and

learned APP for the State.

2.The learned counsel for the petitioner, at the

outset, draws the attention of the Court to the order

impugned by which cognizance has been taken to submit

that the learned Magistrate while taking cognizance has

recorded that he was partly satisfied with the investigation

based on which he took cognizance, as such, it is submitted

that when the learned Magistrate himself was not fully

satisfied where was the occasion to take cognizance based

on his partial satisfaction.



3.The learned Additional P. P. opposes the submission of the learned counsel for the petitioner.

4. At this stage, the learned counsel for the petitioner seeks permission to withdraw the present quashing application with liberty to the petitioner to raise all issues at the time of framing of charge.

5. Permission is accorded.

6. Accordingly, instant petition is dismissed as withdrawn with the liberty aforesaid.

(Satyavrat Verma, J)

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