

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54173 of 2019

Arising Out of PS. Case No.-41 Year-2008 Thana- FATUA District- Patna

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Ghanshyam Tiwari Son Of Ram Sewak Tiwari Resident Of Village - Narma,
P.S.- Fatuha, Distt - Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rahul Kishan Son Of Late Sushil Kumar @ Baban Singh Resident Of
Village - Narma, P.S.- Fatuha, Distt - Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh
For the Opposite Party/s : Mr. Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 20-03-2025 Heard the learned counsel for the petitioner as well as

the learned APP for the State.

2. This is an application for quashing of the order dated 17.05.2019 passed by the learned Additional Chief Judicial Magistrate, Patna City, Patna in Fatuha P.S. Case No. 41 of 2008 by which the Court below has taken cognizance of the offence under Sections 302, 120B/34 of the I.P.C. and Section 27 of the Arms Act.

3. After some argument, learned counsel for the petitioner prays for withdrawing the present application with liberty to raise all the grounds at the stage of framing of charge.

4. Permission is accorded.



5. Accordingly, this application is dismissed as withdrawn with the aforesaid liberty to the petitioner.

6. The Trial Court is directed to proceed in the case and hear the discharge application within one month from today, if the discharge application is filed.

7. If no discharge application is filed then the Trial Court will proceed to frame the charge.

8. Let a copy of this order be communicated to the Principal District and Sessions Judge, Patna through FAX for its compliance forthwith

(Sandeep Kumar, J)

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