

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35955 of 2019

Arising Out of PS. Case No.-1801 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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SUNNY KUMAR @ SHANI KUMAR S/O Omprakash Sah Resident of
Mohalla- Magardahi Road, Pan Mandi Gali, P.S. Town Samastipur, District-
Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Suresh Prasad Gupta S/O Late Ram Vilas Sah Resident of Mohalla- Gola
Road, Chaudhary Gali, Bhootnath Chowk, P.S. Town Samastipur, District-
Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 20-01-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. After some arguments, learned counsel for the
petitioner prays for and is permitted to withdraw this application
with liberty to the petitioner to raise all the grounds at the stage of
framing of charge.

3. If such an application is filed, the same shall be
heard and considered by the learned court below in view of the
law laid down by the Hon'ble Supreme Court in the case of
Kanchan Kumar vs. State of Bihar reported in **(2022) 9 SCC 577**
and accordingly a reasoned order shall be passed. Learned court
below is directed to conclude the trial within one month even if the



wife does not cooperate.

4. The interim protection, if any, granted to the petitioner, is hereby vacated.

5. Let a copy of this order be communicated to Principal District Judge, Patna through FAX so that the case will proceed further.

(Sandeep Kumar, J)

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