

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 42728 of 2016

Arising Out of PS. Case No.-635 Year-2013 Thana- NAWADA District- Nawada

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1. Shrawan Kumar, Son of Devi Mahto
 2. Mamta Devi, W/o Shrawan Kumar
Both residents of Sonu Bigha Panchayat Kadirganj, P.S. Kadirganj O.P.,
District Nawada.
 3. Abdul Wahid, S/o Abdul Rahman Resident of Village Kadirganj, P.S.
Kadirganj, District Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Dr. Jyoti Kumar Bharti, Medical Officer, Banka, Govt. of Bihar S/o Dr.
Arjun Prasad Resident of Village - Kadirganj, P.S. Kadirganj O.P., District -
Nawada.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Verma, Advocate Mr. Anil Kumar Sihna, Advocate
For the State	:	Dr. Mrityunjaya Kumar Gautam, APP
For the O.P. No. 2	:	Mr. Rakesh Kumar Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH
ORAL ORDER

4 17-07-2026 Heard learned counsel for the petitioners as well as

learned counsel for the O.P. No. 2, duly assisted by Mr. Dr.

Mrityunjaya Kumar Gautam, learned Addl. Public Prosecutor

for the State.

2. Having argued the matter at length and in view of

the nature of allegations as also the documents brought on

record, learned counsel for the petitioners seeks permission of

this Court to withdraw the instant application with a liberty to

take all the grounds which have been taken here in this quashing



application before the competent Court at an appropriate stage.

3. Permission is accorded.

4. This application is, accordingly, disposed off with liberty to the petitioners to file a proper application before the competent Court raising all the issues raised herein supporting with all necessary documents buttressing and substantiating their claim of non-maintainability of the allegations levelled against them.

5. If such an application is filed by the petitioners before the competent Court at an appropriate stage, the learned Court, dealing with the case, shall pass a reasoned and speaking order without being prejudiced by the order of this Court. It is to be kept in mind by the learned Court that this Court has not decided the case on merit neither has given opinion on the merit of the case.

6. With the aforesaid liberty, the application stands disposed off.

(Rana Vikram Singh, J)

Rakesh/Praveen

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