

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53474 of 2019

Arising Out of PS. Case No.-1213 Year-2018 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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1. SHASHI DUTT UPADHAYA Son of Late Girija Dutt Upadhaya. Resident of Village- Niwi, P.S.- Fatehpur, District- Gaya.
 2. Hemant Dutt Upadhaya Son of Late Girija Dutt Upadhaya Resident of Village- Niwi, P.S.- Fatehpur, District- Gaya.
 3. Niraj Dutt Upadhaya Son of Shashi Dutt Upadhaya Resident of Village- Niwi, P.S.- Fatehpur, District- Gaya.
 4. Laleshwar Prasad Son of Khadakdhari Prasad Resident of Village- Bahuara, P.S.- Sirdala, District- Nalanda.
 5. Suma Devi Wife of Laleshwar Prasad Resident of Village- Bahuara, P.S.- Sirdala, District- Nalanda.
 6. Dilip Prasad Son of Laleshwar Prasad Resident of Village- Bahuara, P.S.- Sirdala, District- Nalanda.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sunil Dutt Upadhaya @ Sunil Kumar Son of Nandlal Dutt Upadhaya Resident of Village- Bahuara, P.S.- Sirdala, District- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kr. Sinha
For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-01-2026 Heard the parties.

2. After some arguments, learned counsel for the petitioners prays for and is permitted to withdraw this application application with liberty to the petitioners to raise all the grounds at an appropriate stage.

3. It is made clear that if such an application is filed by the petitioners then the same shall be considered by the



concerned Court below and a reasoned order shall be passed in light of the judgment of the Hon’ble Supreme Court in the case of *Kanchan Kumar Vs. State of Bihar reported in (2022) 9 SCC 577*.

4. Accordingly, this application is dismissed as withdrawn.

(Sandeep Kumar, J)

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