

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57155 of 2019

Arising Out of PS. Case No.-261 Year-2014 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Manoj Kumar Son Of Rameshwar Prasad Resident Of Village - Shitlastan,
Michaiwari, P.S.- Sahayak Thana Of Town Police Station, Dist.- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sakaldev Rai Son of Late Rohin Rai Resident of Village - Bhorabari,
Daheria, P.S.- Katihar, Dist.- Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 03-02-2026 Heard the parties.

2. This application has been filed for quashing of the order dated 08.09.2014 passed in Complaint Case No. 261 of 2014 by learned Judicial Magistrate, 1st Class, Katihar by which cognizance for the offence punishable under Sections 138 of the NI Act was taken.

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

4. If such an application is filed, the same shall be considered by the Court below and a reasoned order shall be



passed in accordance with law and in view of the law laid down by the Hon'ble Supreme Court in the case of ***Kanchan Kumar Vs. The State of Bihar*** reported in ***(2022) 9 SCC 577***.

5. In view of the aforesaid, this application is dismissed as withdrawn.

6. Let a copy of this order be communicated to the Principal District & Sessions Judge, Katihar through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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