

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8792 of 2015

Arising Out of PS.Case No. -28069 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. ANTIKA KUMARI @ANKITA KUMARI Wife of Shyam Babu Singh
resident of Sri Ram Nagar Colony, P.S.- Rupaspur,, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Shiv Kumar Gupta son of Late Laldeo Prasad resident of Mohalla-
Rukanpura near Vikram Timber, P.s.- Rupaspur, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma
For the State : Mr. Ashok Kumar(App)
For Opposite Party No.2 : Mr. Ashish Giri, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 06-08-2015 Heard learned counsel for the petitioner, learned

counsel for the State as well as learned counsel for the opposite

party no.2.

By filing this application under section 482 of the

Code of Criminal Procedure, the petitioner seeks quashing of the

order dated 16.01.2015 passed by the learned Judicial Magistrate

1st Class, Patna, whereby the petitioner has been summoned to

face trial for the offences punishable under section 406 of the

Indian Penal Code and section 138 of the Negotiable Instruments

Act.

It would be evident from the impugned order dated

16.01.2015 that the learned Magistrate took into consideration the

statement of the complainant on oath, statement of witness Sanjeev Kumar and certain other documents while passing the impugned order. Those statements and documents have not been brought on record by the petitioner in the present application. In absence of those statements and documents, I find it difficult to adjudicate the matter on merits.

In that view of the matter, the application is dismissed with liberty to the petitioner to file another application after bringing on record all the relevant statements and documents in the same subject matter.

(Ashwani Kumar Singh, J)

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