

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.14182 of 2014**

Arising Out of PS.Case No. -152 Year- 2010 Thana -JAKKANPUR District- PATNA

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1. Manoj Kumar Sharma @ Manoj Bhardwaj @ Manoj Sharma Son Of Jag Narayan Sharma
  2. Vikash Bhardwaj, Son Of Manoj Kumar Sharma @ Manoj Bhardwaj @ Manoj Sharma
  3. Akash Bhardwaj Son Of Manoj Kumar Sharma @ Manoj Bhardwaj @ Manoj Sharma
  4. Indu Devi Wife Of Manoj Kumar Sharma @ Manoj Bhardwaj @ Manoj Sharma
  5. Preeti Kumari @ Preeti Devi Wife Of Akash Bhardwaj
- All resident of Sanjay Nagar Road No. 5A, P.S. - Jakkanpur, District - Patna

.... .... Petitioner/s

Versus

1. The State Of Bihar
2. Mala Sinha, wife of Sanjeev Kumar, resident of Sanjay Nagar, Road No. 5A, P.S. - Jakkanpur, District - Patna

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ratnesh Kumar, Adv.

For the State : Mr. R.B. Roy 'Raman', A.P.P.

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**

**ORAL JUDGMENT**

**Date: 01-10-2015**

Heard learned counsel for the Petitioners and the State.

The Petitioners seek quashing of the order of cognizance dated 2.11.2012 passed by the Chief Judicial Magistrate, Patna, in connection with Jakkanpur P.S. Case No. 152 of 2010, G.R. No. 3359 of 2010.

The case of the Informant is that Petitioner No. 1 is the Proprietor of a school and he with his wife, two sons and the daughter-in-law i.e. rest of the Petitioners trespassed into her house

and assaulted her and other family members. The husband of the Informant was not present at that point in time.

It has been submitted on behalf of the Petitioners that fact of the matter is that the Informant had a greedy eyes over the property and, there was a dispute between them on account of which the Petitioners had also filed Jakkanpur P.S. Case No. 57 of 2010 against the Informant and others in this regard.

Considering the minor nature of allegation and the background dispute, the application is allowed and the Proceeding including the order of cognizance dated 2.11.2012 passed by the Chief Judicial Magistrate, Patna, in connection with Jakkanpur P.S. Case No. 152 of 2010, G.R. No. 3359 of 2010, is hereby set aside without prejudice to the Parties.

S.Ali/-

**(Anjana Prakash, J)**

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