

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17352 of 2015

Arising Out of P.S. Case No. -168 Year- 2009 Thana -BAKHTIYARPUR District- PATNA

1. Sudhir Rai S/o Sri Pradeep Rai Resident of Village Nayatola, Dadaur, P.S. Bakhtiyarpur, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Dr. Birendra Kumar Sinha S/o Late Ram Pravesh Singh R/o Village Baruntar, P.O. Salimpur, P.S. Harnaut, District Nalanda, at present Medical Officer in Charge, Primary Health Centre (PHC) Bakhtiyarpur, P.S. Bakhtiyarpur, District Patna.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Premchandra Yadav, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 23-04-2015

This application under section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 21st March, 2013 passed by the learned A.C.J.M., Barh in G.R. Case No. 1120 of 2009 arising out of Bakhtiyarpur P.S. Case No. 168 of 2009 by which the entire proceedings of the case has been dropped against opposite party no.2.

As a matter of fact, a Bench of this Court, vide order dated 13.12.2012 passed in Cr.Misc. No. 30878 of 2012, Cr.Misc. No. 14688 of 2012 and Cr.Misc. No. 33083 of 2012 in respect of three other co-accused, namely, Dr. Vijay Kumar Verma, Dr. Sangita Verma and Manorma Kumari @ Manorma Devi respectively,

quashed the entire proceedings including the order dated 03.07.2012 passed by the Additional Chief Judicial Magistrate, Barh in Bakhtiyarpur P.S.Case No. 168 of 2009.

Pursuant to the aforesaid order dated 13.12.2012 passed by this Court, the learned A.C.J.M. was left with no option but to drop the entire criminal proceeding and, accordingly, he passed the impugned order dated 21.03.2013 in obedience to the aforesaid order dated 13.12.2012.

In that view of the matter, no fault can be found with the order impugned. The application is dismissed.

(Ashwani Kumar Singh, J)

Pradeep/-

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