

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9835 of 2014

Arising Out of PS.Case No. -2279 Year- 2012 Thana -BEGUSARAI COMPLAINT CSAE District-BEGUSARAI

1. Vijay Kumar Maharaj Son Of Late Sitaram Maharaj Resident Of Mohalla-Mungeriganj, Ward No. 32, P.S. Town (Begusarai), Distt. Begusarai

.... Petitioner/s

Versus

1. The State Of Bihar
2. Surendra Kumar son of Jitendra Prasad Singh, resident of village Mungeriganj, ward No.32, P.S. Town, Distt. Begusarai

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

For Opposite Party No.2 : Mr. V.R.P. Singh, Advocate

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 02-09-2015

The Petitioner seeks quashing of the order of cognizance dated 18.1.2014 passed by the court of Sri Gaurav Anand, J.M., 1st class, Begusarai in Complaint case No.2279C of 2012.

The case of the Complainant is that on the date of occurrence while he along with Amarjit Das, Kamaldeo Das and Baban Das were performing some work of centering on the third floor the accused persons came there with rods and removed the centering and caused a loss of Rs.2000/-.

The submission of the Petitioner is that there was some land dispute between the parties, which has led to institution of this false and frivolous case.

On the other hand, the Counsel for the Complainant submits that since the accused persons behaved in a highhanded manner they should be put on trial.

Considering the nature of allegations and the background dispute, the application is allowed and the proceeding including the order of cognizance dated 18.1.2014 passed by the court of Sri Gaurav Anand, J.M., 1st class, Begusarai in Complaint case No.2279C of 2012 is hereby set aside.

(Anjana Prakash, J)

Narendra/-

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