

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

**Criminal Miscellaneous No.16575 of 2012**

Arising Out of Complaint Case No.1785(C) Year 2007 Thana -null District- BEGUSARAI

Vinod Kumar Jha, son of Sri Krishna Chabdra Jha, resident of village Sourath, P.S. Rahika, Distt. Madhubani, at present posted as the Manager, United Commercial Bank, Frezer Road, Patna-1

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Tribhuan Kumar, son of Shivaji Sao, resident of village Parihara, P.S. Bakhari, Distt. Begusarai.

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

**Appearance :**

For the Petitioner/s : Mr. Shailendra Kumar Jha, Adv.

For the State : Mr. J. Upadhaya, A.P.P.

For the Opposite Party No. 2 : None.

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

**ORAL JUDGMENT**

**Date: 10-02-2015**

No one appears on behalf of the Opposite Party No. 2 on repeated dates.

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order of cognizance dated 15.9.2008 passed by the Judicial Magistrate, Begusarai, in Complaint Case No. 1785(C) of 2007.

The case of the Complainant is that on 6.8.2007, he was stopped by two persons including the Petitioner and threatened him as to why he had Complained about the Branch Manager to the GM and DM and snatched his personal possession.

It has been submitted on behalf of the Petitioner that he

was Manager of United Commercial Bank, Begusarai, at the relevant time and the Complainant had taken loans which was declared non-performance account at which strict action was taken by the Bank authorities. It was in retaliation, the present absurd Complaint has been filed.

Having gone through the nature of Complaint, this Court is inclined to agree with the submission raised on behalf of the Petitioner that the allegation appear to be far fetched, imaginary and absurd and, hence, the Complaint is a gross abuse of the process of the Court which deserves to be quashed.

Hence, the application is allowed and the quashing of the order of cognizance dated 15.9.2008 passed by the Judicial Magistrate, Begusarai, in Complaint Case No. 1785(C) of 2007 is hereby set aside.

**(Anjana Prakash, J)**

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