

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No. 7418 of 2012**

Arising out of P.S. Case No. -2 Year- 2012 Thana -null  
District- BUXAR

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Sideshwar Singh S/o Bhuas Singh Resident of Village- Basudhar,  
Post- Bashudahr, P.S.- Itarhi, Distt.- Buxar .....  
Petitioner/s

Versus

1. The State of Bihar.
  2. Sri Chandra Mohan Prakish S/o Late Maheshwari Singh  
Resident of Village- Jai Prakash Nagar, P.S.- Civil Lines, Gaya,  
District- Gaya. At Present Competent Officer-Cum-Mines  
Inspector, Bxar, District- Buxar. ....
- ...Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Binod Bihari Sinha, Adv.

For the Opposite Party/s : Mr. U.L. Verma, Adv.

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

ORAL JUDGMENT

**Date: 07-07-2015**

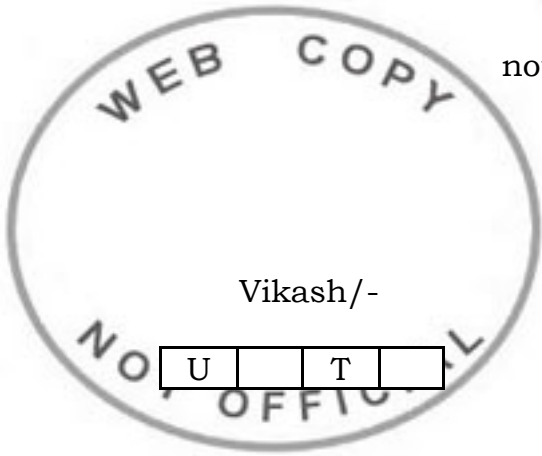
The Petitioner seeks quashing of the part of the order dated 25.01.2012 by which the Sessions Judge, Buxar in A.B.P. No. 91 of 2012 directed the Petitioner to pay 24% interest over the royalty and loss of brick-kiln for the year 2010-11 to the tune of Rs. 52,000/-

It has been submitted that as has been noted in the First Information Report itself there was no dues against the Petitioner. In such circumstances, the said order was unjustified.

Be that as it may, without going into the claim of the Petitioner, since repeatedly the Hon'ble Supreme Court has been directing that cash deposit should be avoided, part of the order dated 25.01.2012 passed by the Sessions Judge, Buxar in A.B.P. No. 91 of 2012 is, hereby, set aside.

The application stands allowed.

However, it is made clear that this Court has not gone into the validity of the claims.



**(Anjana Prakash, J.)**