

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 50146 of 2012

Arising Out of PS.Case No. -null Year- null Thana -null District- -

- =====
1. Kamlesh Pandey son of late Radhey Narayan Pandey.
 2. Piyush Pandey son of Hari Narayan Pandey.

.... Petitioner/s

Versus

1. State of Bihar.
2. Mithilesh Kumar Singh.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL JUDGMENT
Date: 31-08-2015

The petitioners seek quashing of the order of cognizance dated 28.02.2012 passed by the Judicial Magistrate, Buxar in Complaint Case No. 740 of 2009.

It has been submitted on behalf of the petitioners that earlier the complainant had instituted Complaint Case No. 572 of 2009 on the basis of which final report was submitted in the matter which was accepted and thereafter fresh cause of action was instituted.

Having considered that the second complaint is not maintainable except for cogent reason, the application is allowed and the order of cognizance dated 28.02.2012 passed by the Judicial Magistrate, Buxar in Complaint Case No. 740 of 2009 is hereby set aside.

(Anjana Prakash, J)

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