

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11829 of 2014

Arising Out of PS.Case No. -2283 Year- 2012 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

- =====
1. Vijay Kumar Maharaj Son Of Late Sita Ram Maharaj Resident Of Mohalla-
Mungeriganj, Ward No.-32, P.S.- Town, District- Begusarai
 2. Chandramauli Singh @ Chandramauli Kumar Singh Son Of Ram Balak Singh
Resident Of Village- Ajoshdih, P.S.- Bachwada, District- Begusarai

.... Petitioner/s

Versus

1. The State Of Bihar
2. Surendra Kumar s/o late Jitendra Prasad Singh, r/o Mohalla Mungeriganj, Ward
No.32, P.S. Town (Begusarai), Distt. Begusarai

.... Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Prem Kr. Jha, 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 Petitioners seek quashing of the order of cognizance dated 5.2.2014 passed by the court of Sri Gaurav Anand, Judicial Magistrate, 1st class, Begusarai in Complaint case No.2283C of 2012.

The case of the Complainant is that on the date of occurrence the accused persons started to abuse him and threatened him of dire consequences if he did not withdraw the earlier case. It was only on intervention of bystanders the Complainant was saved.

It has been submitted on behalf of the Petitioners that evidently there was land dispute between the parties which has led to institution of the present false case with frivolous charges.

On the other hand, the Counsel for the Complainant submits that since the accused persons are in the habit of taking law in their hand, they should be put on trial.

Having considered the frivolous nature of allegations, the application is allowed and the proceeding including the order of cognizance dated 5.2.2014 passed by the court of Sri Gaurav Anand, Judicial Magistrate, 1st class, Begusarai in Complaint case No.2283C of 2012 is hereby set aside.

(Anjana Prakash, J)

Narendra/-

U		T	
---	--	---	--