

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29082 of 2012

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Ramesh Yadav S/O Late Ram Swaroop Yadav R/O Vill-Paghari, P.S.-
Baheri, Distt-Darbhanga.

.... Petitioner.

Versus

1. The State Of Bihar.

2. Jagdish Prasad Vaishyantri S/O Late Kuldeep Prasad Vaishyantri R/O
Vill-Sundarpur Alinagar(Ward No.1), House Of Ram Pramod Sah, P.S.-
University, Distt-Darbhanga.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Chandra Mohan Jha, Advocate.

For the State : Mr. Atul Chandra (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3 30-03-2015 The petitioner seeks quashing of order of cognizance dated 11.06.2012, passed by Chief Judicial Magistrate, Samastipur, in Samastipur(M) P.S. Case No. 101 of 2012, under Sections 341, 323, 504 of the I.P.C. and the provisions of SC/ST (Prevention of Atrocities) Act.

The case of the informant is that he was a teacher in the Commerce Department and on the date of occurrence when he entered in the chamber of the Principal, he found two other persons already standing there. When he raised issue for payment of pending amount, he was abused then assaulted.

On the first occasion, notices were issued to opposite party no. 2 but he chose not to appear before this Court.

It has been submitted on behalf of the petitioner that the fact of the matter is that the informant had failed to explain the expenditure of the amount reimbursed by the College and he being aggrieved, instituted the present complaint maliciously.

Having considered the aforesaid facts, entire proceeding against all the accused including the order of cognizance dated 11.06.2012, passed by Chief Judicial Magistrate, Samastipur, in Samastipur(M) P.S. Case No. 101 of 2012, is hereby set aside.

The application stands allowed.

U.K./-

(Anjana Prakash, J)

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