

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28427 of 2009

Arising Out of PS.Case No. 0112 Year 1998 District- BUXAR

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Bachan Singh, son of Sri Samru Singh, resident of village Naya Bhojpur, P.S.
Dumraon, Distt. Buxar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Triveni Mishra, son of Raj Kumar Mishra, resident of village Naya Bhojpur,
P.S. Dumraon, Distt. Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : None.

For the State : Mr. Z. Hoda, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 11-08-2015

No one appears on behalf of the Petitioner.

The Petitioner seeks quashing of the order of non-discharge dated 9.6.2009 passed by the Judicial Magistrate, 1st Class, Buxar, in Dumraon P.S. Case No. 112 of 1998.

The case of the Informant is that the accused persons had cheated him and many other persons as promises of a good future in the Company.

The submission of the Petitioner was that he was not Incharge of the circle of Bihar but was Incharge of Uttar Pradesh.

The case diary was called for to verify this fact and Additional Public Prosecutor on going through the same, is not in a position to refute this contention.

Considering such aspect of the matter, the application is allowed and the Proceeding including the order of non-discharge dated 9.6.2009 passed by the Judicial Magistrate, 1st Class, Buxar, in Dumraon P.S. Case No. 112 of 1998, so far as the Petitioner is concerned, is hereby set aside.

However, this order shall not prejudice any Party in any manner.

(Anjana Prakash, J)

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