

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30999 of 2009

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

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1. Jyoti Rani Sinha wife of Sri Ravi Rnajan Sahay, Manager, Kilkari, Bihar Bal Bhawan, 2nd floor, Red Cross Building, North Gandhi Maidan, Patna-1
 2. Jyoti Parihar wife of Sri Suman Kumar, Director, Kilkari, Bihar Bal Bhawan, 2nd floor, Red Cross Building, North Gandhi Maidan, Patna-1
 3. Anita Thakur D/o late Antaryami Thakur, State Resource Person, Kilkari, Bihar Bal Bhawan, 2nd floor, Red Cross Building, North Gandhi Maidan, Patna-1
- Petitioner/s

Versus

1. The State of Bihar
 2. Smt. Ranjana Sinha wife of Sri Sanjay Sahay, resident of C/303, Jagmanoshree Apartment, Kala Garden Road, Bailey Road, P.S. Airport, District Patna
- Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Rana Pratap Singh, Sr. Advocate

For the Opposite Party/s : Mr. C. Jawahar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 17-08-2015

The Petitioners seek quashing of the order of cognizance dated 23.7.2009 passed by the court of Sri Habibula, Judicial Magistrate, 1st class, Patna in Complaint case No.1433C of 2009.

The case of the Complainant is that while she was managing affairs of an NGO, the accused persons under a conspiracy started making defamatory statements against her by taking information under the Right to Information Act. It is then that the present Complaint was filed.

The Counsel for the Petitioners submits that even conceding the allegations in the Complaint Petition since there is no

element of defamation, the present Complaint should not be permitted to be sustained.

On the last occasion notices had been issued to the Opposite Party No.2 but none appears on her behalf.

Considering the nature of allegations, the application is allowed without prejudice to any party and the proceeding including the order of cognizance dated 23.7.2009 passed by the court of Sri Habibula, Judicial Magistrate, 1st class, Patna in Complaint case No.1433C of 2009 is hereby set aside.

(Anjana Prakash, J)

Narendra/-

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