

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 16378 of 2011

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Kedar Nath Sah S/o Late Babu Lal Sah R/o Village - Ambe,
P.O. Mirjanhat, P.S. Mojahidpur, District – Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Abha Kumari, C.D.P.O., Bal Bikash Pariyojna Padadhiakri,
Sultanganj, Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek, Adv.

For the Opposite Party/s: Mr. Matloob Rab (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

05. 09.02.2015

The Petitioner seeks quashing of the entire proceeding including the order of cognizance dated 17.06.2008 passed by the Chief Judicial Magistrate, Bhagalpur in Kotwali (Barari) P.S. Case No. 519 of 2006.

The case of the Informant is that the accused persons started to talk among themselves taking her caste name and then the accused persons are said to have abused her.

Notices had been issued to the Opposite Party No. 2 but none appears on her behalf.

It appears that the Informant was CDPO and from the First Information Report it appears that there were some official differences between them which seems to have led to institution of the present case. It would be in the interest of justice that the prosecution be quashed.

Hence, the application is allowed and the entire

proceeding as against all the accused persons including the order of cognizance dated 17.06.2008 passed by the Chief Judicial Magistrate, Bhagalpur in Kotwali (Barari) P.S. Case No. 519 of 2006 is, hereby, set aside.

The Application stands allowed.

(Anjana Prakash, J.)

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