

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15308 of 2013

Arising Out of PS.Case No. -248 Year- 2012 Thana -MUNGER COMPLAINT CASE District-
MUNGER

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Sanjeev Kumar Singh S/O Sri Mohan Prasad Singh R/O Village - Mangrar, P.S.
Lakshmipur, Distt. - Jamui

.... Petitioner/s

Versus

1. The State Of Bihar.
2. Ajit Kumar Pappu S/o Sri Umesh Prasad Yadav.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 29-09-2015

I find from the order sheet that on repeated dates the
counsel for the O.P. No. 2 has not been appeared.

The petitioner seeks quashing of the order of cognizance
dated 16.07.2012 passed by the Judicial Magistrate 1st Class, Munger
in Complaint Case No. 248C of 2012.

The case of the complainant is that on the promise of the
petitioner that he would get appointment he filled up a form for the
same in the H.D.F.C, Bank and also deposited money in the I.C.I.C.I
Bank account of the petitioner but despite promise he did not do so.

It has been submitted on behalf of the petitioner that he
does not have any account in the I.C.I.C.I Bank, Munger and entire

allegations are palpably false and petitioner cannot be held responsible for a transaction between the account of witness of this case and some other persons.

Having considered the oral nature of allegations, I would be inclined to hold that continuance of the proceeding would be a nullity. Hence the application is allowed without prejudiced to the rights of the parties and the order of cognizance dated 16.07.2012 passed by the Judicial Magistrate 1st Class, Munger in Complaint Case No. 248C of 2012, is hereby set aside.

(Anjana Prakash, J)

Prakash/-

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