

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50727 of 2014

Arising Out of Complaint Case No.2864 Year- 2010 District- KATIHAR

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1. Sandhya Devi W/o Baya Chunari
 2. Maas Devi W/o Baya Chunari
- Both Resident of Village-Jakumar, P.S - Barsoi, Distt-Katihar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Chhabhi Kumar Daughter of Sona Chunari Resident of Village- Jalkumar , P.S- Barsoi, Distt- Katihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Singh, Adv.
For the State : Mr. Rana Randhir Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 03-09-2015

Heard learned counsel for the Petitioners and the State.

The Petitioners seek quashing of the order of cognizance dated 26.5.2011 passed by the Judicial Magistrate, 1st Class, Katihar, in Complaint case No. 2864C of 2010.

The case of the Complainant is that on the date of occurrence, all the accused persons came to her courtyard and started demanding rangdari and forcibly took her signature on a plain paper. They took away household articles from the house of the Complainant.

Learned counsel for the Petitioner submits that the Petitioners are ladies and it does not stand to reason that they would

be indulging in such kind of activities, as alleged by the Complainant.

On the other hand, the counsel for the Complainant submits that since the Petitioners were part of the group which had enmity with the Complainant on account of earlier case, they should be put on Trial

Having considered the vague nature of allegation as against the Petitioners, who are ladies, the application stands allowed and the Proceeding including the order of cognizance dated 26.5.2011 passed by the Judicial Magistrate, 1st Class, Katihar, in Complaint case No. 2864C of 2010, is hereby set aside so far as they are concerned.

(Anjana Prakash, J)

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