

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12693 of 2013

Arising Out of PS.Case No. -1127 Year- 2012 Thana –BHABHU (KAIMUR) COMPLAINT CASE
DISTRICT- - KAIMUR (BHABUA)

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Santosh Kumar son of Late Shayam Kishore resident of Village Plot No. 204,
Mabika Nandan Complex, East Patel Nagar, Patna behind B. Bhattacharya, Near
HDFC Bank ATM, P.S.- Shahtrinagar, P.O.- Patel Nagar, District- Patna

.... Petitioner

Versus

1. The State of Bihar
2. Mahendra Sah son of Sri Basget Sah resident of Village- Ruiya, P.O.- Drouli,
P.S.- Bhabua, District- Kaimur (Bhabua) Bihar

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sanjay Kumar @ Manu,
Mr. Parwej Khan, Advocates
For the state : Mr. Jitendra Kumar Singh, APP
For O.P. No.2 : Mr. Anjani Kumar Sinha No.1, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 09-07-2015

Heard learned counsel for the petitioner and learned APP for
the State assisted by learned counsel for the opposite party no.2.

2. The present petition has been filed for quashing the
order dated 01.02.2013 passed in Complaint Case No.1127(c)/2012 by
which the learned Chief Judicial Magistrate, Kaimur at Bhabua has
taken cognizance of offences under Sections 420, 406 of the Indian
Penal Code and Section 138 of the Negotiable Instrument Act and
directed issuance of process against the petitioner.

3. Considering the stage of the case and also that a prima
facie case has been found against the petitioner having regard to the
accusations in the complaint and the materials available on record,

this Court is not inclined to interfere with the impugned order at this stage.

4. The petition accordingly stands dismissed.

(Vikash Jain, J)

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