

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14128 of 2009

Arising Out of PS.Case No. -0 Year- null Thana -null District- PATNA

Sudhir Kumar Jha

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 13-07-2015

No one appears on behalf of the O.P. No. 2.

The petitioner seeks quashing of the order of cognizance dated 22.02.2008 passed by the Judicial Magistrate, 1st Class, Patna in Complaint Case No. 472 C of 2006

The case of the complainant is that he had taken loan of Rs. 1,2,800/- on 28.01.2000 from the Central Bank of India, Budh Marg, Patna and repaid at the rate of Rs. 500/- per month from his pension account. However, the Bank recovered excess amount of Rs. 36000/- till January 2006.

It has been submitted on behalf of the petitioner that even conceding the allegation in the complaint petition, no criminal offence would be made out and at best it is the case where the complainant could have approached the Bank for redressal of his

grievance.

Having considered the nature of allegation, I would be inclined to agree with the submissions so raised. Hence the application is allowed and the order of cognizance dated 22.02.2008 passed by the Judicial Magistrate, 1st Class, Patna is hereby set aside.

(Anjana Prakash, J)

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