

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1074 of 2012

Arising Out of Complaint Case No. -856 Year- 2012 District- MUZAFFARPUR

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Arun Kumar, son of late Yamuna Prasad Shahi, r/o Village-Baruraj, PS-Baruraj, District-Muzaffarpur at present resident of Mohalla-Sarvoday Nagar, Bibiganj, PS-Sadar, District-Muzaffarpur.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Satendra Prasad, son of late Nageswar Prasad, r/o Mohalla-Saketpuri Bibiganj, PS-Sadar, District-Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Verma, Adv.
Mr. Prashant Sinha, Adv.
Mr. Chitranjan Sinha, Adv.
For the State : Mr. Ahmad Ali, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 16-02-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order dated 13.8.2012 by which the Judicial Magistrate, 1st Class, Muzaffarpur, has taken cognizance only under Section 138 Negotiable Instrument Act in Complaint Case No. 856 of 2012, Trial No. 5433 of 2012.

Considering that cognizance has not taken of a particular offence of cases but as a whole and what offence is made out is best to be determined at the stage of framing of charge.

The application stands disposed off with a direction to the Court below to apply its mind at the aforesaid stage.

(Anjana Prakash, J)

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