

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.6316 of 2009**

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

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Ramanand Prasad Singh, son of late Ram Bilash Singh, resident of village-  
Sadanandpur, P.S.- Balia, in the district of Begusarai.

.... .... Petitioner/s

Versus

1. The State of Bihar &
2. Kameshwar Prasad Singh @ Lala Babu, son of late Ram Udgar Prasad Singh,  
resident of village- Sadanandpur, P.S.- Balia, in the district of Begusarai

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : None

For the Opposite Party/s : Mr. Ashok Kumar Choudhary, Advocate  
APP

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**

**ORAL JUDGMENT**

**Date: 10-07-2015**

1. No one appears on behalf of the Petitioner.
2. The Petitioner seeks quashing of the order of  
cognizance dated 27.01.2009 passed by the Judicial Magistrate, 1<sup>st</sup>  
class, Begusarai, in Complaint Case No.1109-C of 2007.
3. The case of the Complainant is that the Petitioner  
made some cutting in the land records and mutated the same land  
which belonged to the Complainant in his name.
4. Having gone through the Complaint Petition, I am  
unable to understand as to how criminal offence is made out. Even if  
the Petitioner has committed such an act, proper course for the  
Complainant would be to go for correction of the records and not to  
file the criminal case.

5. In view of such, the order of cognizance dated 27.01.2009 passed by the Judicial Magistrate, 1<sup>st</sup> class, Begusarai, in Complaint Case No.1109-C of 2007, is hereby set aside.

6. The application stands allowed.

7. However, this order shall not prejudice any party in any manner.

**(Anjana Prakash, J)**

JA/-

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