

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30713 of 2009

Arising Out of Bakhtiyarpur P.S. Case No.322 Year- 2007 District- PATNA

=====

Pawan Kumar Singh, son of late Satynarayan Singh, resident of village Rupas Mahali, P.S. Bakhtiyarpur, Distt. Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Gangia Devi, wife of Lal Babu Ram, resident of village Rupas Mahali, P.S. Bakhtiyarpur, Distt. Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : None.

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 11-08-2015

No one appears on behalf of either of the Parties.

The Petitioner seeks quashing of the order of cognizance dated 10.9.2008 passed by the Additional Chief Judicial Magistrate, Barh, in Bakhtiyarpur P.S. Case No. 322 of 2007.

The case of the Complainant is that he belonged to the Harijan caste whereas the accused persons, who belonged to upper caste, always disturbed her. On the date of occurrence, the accused persons came to her door and started demanding money as 'rangdari' and, hence, the present Complaint.

The submission of the Petitioners as is evident from the petition filed herein is that the Informant herself was a Mukhiya of Gram Panchayat and in fact was indulging in all of malpractices in

implementation of the schemes on account of which a Complaint was instituted by the Petitioners and others vide Annexures-2 and 2/1. It is only after, the said Complaint was instituted with trumped-up charges, the present Complaint was filed. The allegations are absurd because it does not stand to reason that the accused would demand Rangdari from a 'Mukhiya'

Having considered the aforesaid circumstances, the application is allowed and the order of cognizance dated 10.9.2008 passed by the Additional Chief Judicial Magistrate, Barh, in Bakhtiyarpur P.S. Case No. 322 of 2007, is hereby set aside.

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

(Anjana Prakash, J)

S.Ali/-

U		T	
---	--	---	--