

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42750 of 2012

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1. Sri Kalayan Sunder Bose S/O Late Chittaranjan Bose @ Mrs Tripti Bose
Res. - Mohan Kutir, Bose & Co. Mohalla -Duzra, P.S. - Budha Colony,
Distt. - Patna, Presently Residing At B/52, Sunder Apart, Chembur,
Mumbai. - 400071.
 2. Mrs.Indrani Chandra D/O Late Chittaranjan Bose & W/O Dr.Sataya
Sachi Bose. Resi. - 15/2 Sarat Bose Road, Kolkatta - 700020.
 3. Smt. Tripti Bose W/O Late Chittaranjan Bose Resident Of Mohan Kutir,
Bose & Co, Mohalla - Duzra, P.S. - Budha Colony, Distt. - Patna.
 4. Miss Chandrani Bose D/O Late Chittaranjan Bose & Smt. Tripti Bose
Resident Of Mohan Kutir, Bose & Co, Mohalla - Duzra, P.S. - Budha
Colony, Distt. - Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rani Kumari D/O Late Rajendra Prasad, Resident of Mohalla - Duzra,
Police Station - Budha Colony, Distt. - Patna.
3. Sunita Kumari D/O Late Vireshwar Prasad, Resident of . - Mohalla -
Duzara, P.S. - Buddha Colony, Distt. - Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : M/s Shola Sandhwar, P C Gupta

For the Opposite Partys : Mr. Binod Kumar,APP

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 21-05-2015

This Petition under Section 482 Cr.P.C. is filed
challenging the order dated 3.2.2011 passed by the Judicial
Magistrate 1st Class, Patna Sadar, in Complaint Case No.3018(C)
of 2010 through which the trial court took cognizance of a

complaint submitted by the 2nd respondent herein.

Heard Sri Shola Sandhwar, learned counsel for the petitioners, and the learned A.P.P.

Respondent nos. 2 and 3 submitted complaint before the trial court alleging that on 17.10.2010 the petitioners herein entered their house, snatched cash, cell phone and obtained signatures on blank papers by wielding gun in their hands. The details of disputes that are pending were also furnished. The trial court recorded the statements of the complainants and that of the witnesses and took cognizance of the matter.

It may be true that there are several disputes between the parties. However, the content of the complaint is that the petitioners trespassed to the house of the respondents, wielded gun and extracted the cash, cell phone and signatures. If these allegations are true, this would certainly cause offence. However, truth or otherwise of the same may be considered in the trial.

This Court is not inclined to quash the order dated 3.2.2011 passed in Complaint Case No. 3018(C) of 2010. The Petition is accordingly rejected.

(L. Narasimha Reddy,CJ)

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