

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49057 of 2012

=====

Bachneshwar Prasad Yadav, S/O Budhu Yadav, Resident Of Village- Jhahura, P.S.-
Supaul (Laukaha O.P.), District- Supaul

.... Petitioner/s

Versus

1. The State Of Bihar
2. Bisheshwar Yadav S/O Budhu Yadav Resident Of Village- Jhahura, P.S.-
Supaul (Laukaha O.P.), District- Supaul

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Adv.

Mr. Saroj Kumar Singh, Adv.

For the State : Mr. Chandra Sen Pd. Singh, A.P.P.

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 03-07-2015

Heard learned counsel for the Petitioner and the State.

The Petitioners seek quashing of the order of cognizance dated 19.7.2012 passed by the Chief Judicial Magistrate, Supaul, in Supaul P.S. Case No. 17 of 2012 (GR No. 50 of 2011) by which cognizance under Section 147, 149, 323, 329 and 406 Indian Penal Code was taken.

It appears that another minor case vide Supaul P.S. Case No. 16 of 2011 was instituted by the Petitioner.

Now, the Parties have agreed that since the dispute was merely civil in nature and the allegations are petty, in their interest, both the prosecutions be quashed.

Having considered the aforesaid, the application is allowed and the Proceeding including the order of cognizance dated 19.7.2012 passed by the Chief Judicial Magistrate, Supaul, in connection with Supaul P.S. Case No. 17 of 2012 (G.R. No. 50 of 2011) is hereby set aside. Also in view of submission aforesaid, further Proceedings of Supaul P.S. Case No. 16 of 2011 pending before the Chief Judicial Magistrate, Supaul, is hereby set aside.

With the aforesaid observation, the application stands disposed off.

(Anjana Prakash, J)

S.Ali/-

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