

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 35460 of 2011

Arising out of P.S. Case No. –CII-5 Year- 1991 Thana -Complaint
District- KATIHAR

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Rajeshwar Prasad Singh Son of Late Ram Japan Singh Resident of-Jangli
Prasad Lane Police Station-Patna City District-Patna..... Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : None.

For the Opposite Party/s: Mrs. Madhuri Lata, APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 03-02-2015

No one appears on behalf of the Petitioner which was
repeatedly dismissed for non-appearance.

The Petitioner seeks quashing of the entire proceeding
including the order of cognizance dated 07.01.1991 passed by the
Judicial Magistrate, 1st Class, Katihar in Complaint Case No. CII- 5 of
1991.

The allegation in the Complaint Petition is that the
Petitioner who was the Junior Engineer had managed the lineman to
disconnect the electric supply of the Complainant on plea of him
misusing the electricity connection.

From the facts of the Complaint itself, it would appear that
the present Complaint is malicious in nature and deserves to be set
aside.

Hence, the application is allowed and the entire proceeding
as against all the accused persons including the order of cognizance
dated 07.01.1991 passed by the Judicial Magistrate, 1st Class, Katihar
in Complaint Case No. CII- 5 of 1991 is, hereby, set aside.

The Application stands allowed.

(Anjana Prakash, J)

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