

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15555 of 2009

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

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Shri Shambhu Sharan Shahi

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Adv.

Mr. Gopal Krishan, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhaya, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 17-07-2015

The petitioner seeks quashing of the order of cognizance dated 05.11.2007 passed by the Judicial Magistrate, 1st Class, in Complaint Case No. 2561(c) of 2007.

The case of the complainant is that the petitioner had borrowed Rs. 5,000/- from him but did not return the same. On the date of occurrence the petitioner came to his Chamber for another loan when he refused the petitioner abused him using filthy language.

It has been submitted on behalf of the petitioner that the allegations are so frivolous that it deserves to be set aside.

Notices had been issued to the O.P. No. 2 but none appeared on his behalf.

Having gone through the records to this Court, the allegations appear absurd and hence the application is allowed and the

order of cognizance dated 05.11.2007 passed by the Judicial Magistrate, 1st Class, in Complaint Case No. 2561(c) of 2007 is hereby set aside.

(Anjana Prakash, J)

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