

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18493 of 2015

Arising Out of PS.Case No. -533 Year- 2011 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Piyush Kumar son of Awadhesh Kumar Singh resident of Azad Nagar Colony P.S. Tilamanjhi District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mamta Devi wife of Jai Kishor Singh, Resident of Vikramshila Colony P.S. Tilamanjhi District Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmod Kumar
For the Opposite Party/s : Mr. Veena Kumari Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 30-04-2015 The petitioners seek quashing of the order dated 14.08.2014 passed by the learned Judicial Magistrate 1st Class, Bhagalpur in Complaint Case No. 533 of 2011, whereby, finding a prima facie case to be made out for the offences under sections 279, 337 and 338 of the Indian Penal Code, the petitioner has been summoned to face trial. The aforementioned summoning order has been passed after perusing the allegations made in the complaint as well as statement of the complainant recorded on oath and the statement of the witnesses recorded in course of enquiry conducted under section 202 of the Code of Criminal Procedure.

Neither the statement of the complainant nor the statement of the enquiry witnesses has been brought on record. In

absence of the aforementioned statements, I find it difficult to decide this case on merits.

In that view of the matter, the application is disposed of with liberty to the petitioner to file another application before this Court in the same subject matter after bringing on record all the relevant documents.

(Ashwani Kumar Singh, J)

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