

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30323 of 2009

Arising Out of Complaint Case No. C151 Year- 2009 District- MADHUBANI

- =====
1. Lal Kumar Yadav @ Lalan Kumar, son of late Hari Lal Yadav
 2. Sandesha, wife of Lal Kumar

Both residents of village Haraili, P.S. Uda Kishanganj, Distt. Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar
2. Gajendra Pd. Ambastha, son of late Bhubneshwar Pd., resident of village Rampur Khora, P.S. Uda Kishanganj, Distt. Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 11-08-2015

No one appears on behalf of the Petitioners.

The Petitioners seek quashing of the order of cognizance dated 25.4.2009 passed by the Judicial Magistrate, 1st Class, Madhepura, in Complaint Case No. C151 of 2009.

The case of the Complainant is that one Lal Kumar Yadav had appointed 8 teachers on contract basis in which the name of one Sandesha was wrongly mentioned as she was aged about 34 years whereas for the appointment of female, the upper age limit was fixed at 33 years. Two other persons had also been illegally appointed by the Committee.

The Petitioners submit that after due investigation, the allegations of the Complainant was found false on account of which Final Report was submitted. However, on a protest petition filed it was treated as Complaint and, thereafter the case proceeded.

Having considered the aforesaid that an objective agency found no substance in the allegations, the application is allowed and the Proceeding including the order of cognizance dated 25.4.2009 passed by the Judicial Magistrate, 1st Class, Madhepura, in Complaint Case No. C151 of 2009, is hereby set aside.

S.Ali/-

(Anjana Prakash, J)

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