

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 6116 of 2011

Arising out of P.S. Case No. -79 Year- 2009 Thana -null
District- GOPALGANJ

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Rajesh Kumar @ Rajesh Mandal Jagdish Mandal Village-Sanour Ps-
Basant Ram District-Godda (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajesh Singh Ram Chandra Singh Village-Shamdas Bagahi,Ps-
Kateya,District-Gopalganj.
3. Shanti Kumari @ Gyanti Kumari D/o Ram Chandra Singh,W/o
Rajesh Kumar @ Rajesh Mandal Village-Sanour,Ps-Basant Ram
District-Godda (Jharkhand).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Pd. Bhakta, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 03-07-2015

The Petitioner seeks quashing of the entire proceeding including the order of cognizance dated 01.04.2010 passed by the Chief Judicial Magistrate, Gopalganj in Gopalganj P.S. Case No. 79 of 2009 (G.R. No. 951 of 2009).

The case of the Informant is that his daughter had been kidnapped by the accused persons for ulterior purposes. Later on, the girl appeared and gave her statement under Section 164 Cr.P.C. that she is eighteen years of age and she had not been kidnapped.

The case diary was called for to ascertain the

aforesaid fact. The same had been mentioned in the case diary.

Notices had been issued to the Opposite Party No. 2 but none appears on her behalf.

Considering the aforesaid, evidently, no offence would be made out against any of the accused persons.

Hence, the entire proceeding as against all the accused persons including the order of cognizance dated 01.04.2010 passed by the Chief Judicial Magistrate, Gopalganj in Gopalganj P.S. Case No. 79 of 2009 (G.R. No. 951 of 2009) is, hereby, set aside.

The Application stands allowed.

Vikash/-

(Anjana Prakash, J.)

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