

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44876 of 2011

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Raj Kumar Gupta S/O Late Prabhu Kumar Gupta Resident Of Maripur
Power House Chouck P.S. Kazimohammadpur District - Muzaffarpur,
Proprietor Old Bhagirath Hotel , Court Compound District - Muzaffarpur.

.... Petitioner

Versus

1. The State Of Bihar
2. The Employee State Insurance Corporation, through the Branch
Manager , Branch Office , Employees State Insurance Corporation,
Muzaffarpur.

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma, Adv.

For the Opposite Party/s : Mr. Nityanand (App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR
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ORAL ORDER

4 27-07-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

It has been contended on behalf of the petitioner that in
pursuance of order dated 16.08.2012 passed under CWJC No.
11379 of 2007, the petitioner had already led his grievance before
State Insurance Court wherein ESI has been noticed. In the
aforesaid background it has been contended that the present
prosecution should not be allowed to continue.

At the other end, learned Additional Public Prosecutor
opposed the prayer.

For the present, I do not perceive any authenticity with
regard to submission made on behalf of the petitioner; consequent

thereupon, instant petition is found devoid of merit and is, accordingly, rejected. Stay so granted on an earlier occasion, is hereby vacated.

However, it will be opened to the petitioner to re-agitate his grievance in the light of an order, if any, having in his favour passed by the State Insurance Court.

(Aditya Kumar Trivedi, J)

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