

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6434 of 2010

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

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Sheikh Md.Islam & Ors

.... Petitioner/s

Versus

State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.
Mr. Rajiv Kumar

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 14-09-2015

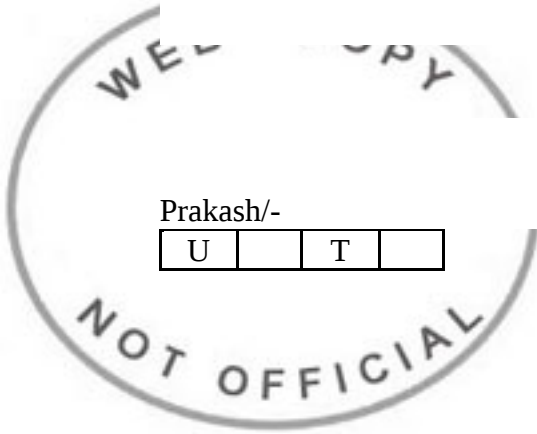
The petitioners seek quashing of the order of cognizance dated 06.08.2009 passed by the Judicial Magistrate, 1st Class, Siwan in Tr. No. 3393 of 2009.

The case of the complainant is that even though he was cultivating the land as per oral partition the petitioner in order to harass him executed false sale deeds and hence the present complaint .

It has been submitted on behalf of the petitioners that evidently in the facts of the case at best a civil dispute is made out and there is no cause for prosecuting the petitioners under the criminal offence.

Having considered the facts of the case, I would be inclined to agree with the submissions so raised by the petitioners. Hence the application is allowed and the order of cognizance dated

06.08.2009 passed by the Judicial Magistrate, 1st Class, Siwan in Tr.
No. 3393 of 2009 is hereby set aside.



(Anjana Prakash, J)