



IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48367 of 2012

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

1. Ritesh Kumar Sinha S/O Sri Devendra Prasad Sinha Resident Of Mohalla Shivpuri (West), Near Kali Mandir, Police Station Hazaribagh, District Hazaribagh (Jharkhand) At Presently Posted As Assistant, State Bank Of India, Hilsa Branch, Police Station Hilsa District Nalanda.
2. Shatrudhan Kumar S/O Sri Krishna Prasad Resident Of Village Muradali Chak, Police Station Nagarnusa, District Nalanda, At Present Posted As Assistant, State Bank Of India, Hilsa Branch, Police Station Hilsa, District Nalanda.

.... Petitioner/s

Versus

1. The State Of Bihar.
2. Sachidanand Singh, Advocate, Civil Court, Hilsa S/O Late Sheosagar Singh R/O Mohalla Hilsa, Police Station Hilsa, District Nalanda.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL JUDGMENT
Date: 29-06-2015

The petitioners seek quashing of the order of cognizance dated 11.10.2012 passed by the Additional Chief Judicial Magistrate, Hilsa in Complaint Case No. 832 C of 2012.

The case of the complainant is that he is an advocate in Hilsa Civil Court and on the date of occurrence when he had gone to the Bank the petitioner who were posted there misbehaved with him as also assaulted him even though his grievance was genuine.

It has been submitted on behalf of the petitioners that fact of the matter is that the complainant sought priority over rest of the

customers which the petitioners did not allow on account of which he filed this false complaint.

On the last occasion notices had been issued to the O.P. No. 2 to consider as to whether he is still interested in pursuing the matter. However, none appears on his behalf.

Having considered the nature of allegations in the complaint petition, in my opinion, continuance of the proceedings would be abuse of the process of the Court. Hence the application is allowed and the order of cognizance dated 11.10.2012 passed by the Additional Chief Judicial Magistrate, Hilsa in Complaint Case No. 832 C of 2012 is hereby quashed.

However, this order shall not prejudice any party in any manner.

(Anjana Prakash, J)

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