

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26526 of 2009

Arising Out of Complaint Case No. 7 Year- 2008 District- GAYA

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Prof. (Dr.) Kusum Kumari, wife of Sri Rai Madan Kishore, “Anta Kothi”, Katari Hill Road, P.S. Civil Lines, District Gaya, presently working as Head of Department, Post Graduate Department of Philosophy, Magadh University, Bodh Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

2. Prof. (Dr.) Neelima Sinha, wife of Dr. Ashok Kumar Sinha, resident of Mohalla Nagmatia Road, “Shiv Jagdamba Bhawan”, P.S. Civil Lines, Distt. Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tuhin Shankar, Adv.

Mr. Alok Kumar, Adv.

For the State : Mr. B.B. Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 03-08-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order of cognizance dated 13.5.2008 passed by the Sub Divisional Judicial Magistrate, Gaya, in Complaint Case No. 7 of 2008.

Since both the Parties belong to the same profession, it would not be desirable for them to continue this Prosecution in their interest.

In view of such, further Proceedings including the order of cognizance dated 13.5.2008 passed by the Sub Divisional Judicial Magistrate, Gaya, in connection with Complaint Case No. 7 of 2008 is hereby set aside.

The application stands allowed without prejudice to any
Party.

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(Anjana Prakash, J)

