

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35778 of 2009

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Swadesh Kumar @ Navin Kumar, S/O Mahendra Prasad Singh, Vill.+P.O.-
Sabnima, P.S.- Athmalgola, Distt.- Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. Bandana Devi, W/O Sri Ram Narayan Sharma, Vill.+P.O.- Sabnima P.S.-
Athmangola, Distt.- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Arun, Adv.
Mr. Siyaram Pandey, Adv.
For the Opposite Party/s : Mr. Ajay Kr. Singh, Adv.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL JUDGMENT
Date: 22-06-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order of non-
discharge dated 18.8.2009 passed by the Judicial Magistrate, 1st Class,
Barh, in Complaint Case no. 240(C) of 2008.

The case of the Complainant is that the Petitioner had
obtained her signature on a blank paper for the purpose of including
her name in the voter list, even though, there was not justification for
the same and when she demanded to return the signed blank paper, he
refused to do so.

It has been submitted that till date, the document has
not been used and, hence, neither any wrongful loss or wrongful gain
has been caused.

Considering such submission, the application is allowed and the Proceeding including the order dated 18.8.2009 passed by the Judicial Magistrate, 1st Class, Barh, in connection with Complaint Case No. 240(C) of 2008, is hereby set aside.

(Anjana Prakash, J)

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