

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44375 of 2011

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1. Bhuvneshwar Mishra Late Harish Chandra Mishra Vill Madhubani Ps
Bajpatti Sitamarhi

.... Petitioner/s

Versus

1. The State Of Bihar
2. Laxman Sah Nemichand Sah Vill +Po Bhavdepur Got Ps Riga Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

9 03-02-2015 The petitioner seeks quashing of the order dated 17.10.2011 passed by the Judicial Magistrate 1st Class, Sitamarhi in Complaint Case No. C-1-489 of 2007, Tr. No. 1370 of 2011 so far as the petitioner is concerned.

The case of the complainant is that some sale deeds were got executed by falsely deceiving him of which the deed writer was Mohan Mishra, relative of the petitioner was a Peskar in the Registry Office. There is a vague allegation that the petitioner was also involved in the whole episode.

It has been submitted on behalf of the petitioner that there is no specific allegation as against him which would entail criminal liability upon him. Hence he deserves to be discharged from the case.

Considering the facts of the complaint which shows no complicity of the petitioner, the application is allowed and the order dated 17.10.2011 passed by the Judicial Magistrate, 1st Class Sitamarhi in Complaint Case No. C 1-489 of 2007 so far as the petitioner is concerned, is hereby set aside.

(Anjana Prakash, J)

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