

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4572 of 2009

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

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Mohan Kumar Das @ Mohan Das, son of Tilo Das, resident of Mohalla-Gangjala,
Ward No.8/17, P.S.-Saharsa, District- Saharsa

.... Petitioner/s

Versus

1. The State of Bihar &
2. Shanti Devi, wife of late Bijendra Das, resident of Mohalla-Gangjala, Ward No.9, P.S. & District- Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Reebha Kumari, Advocate

For the Opposite Party/s : APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 10-07-2015

The Petitioner seeks quashing of the order of cognizance dated 28.05.2008 passed by the Sub-Divisional Judicial Magistrate, Saharsa, in Complaint Case No.287-C of 2006.

Pleading of the Petitioner is that initially a police case was instituted in this case which on investigation was found false and police recommended action against the Informant under Section(s) 182/211 Indian Penal Code. It found that the case has been instituted for reasons of land dispute.

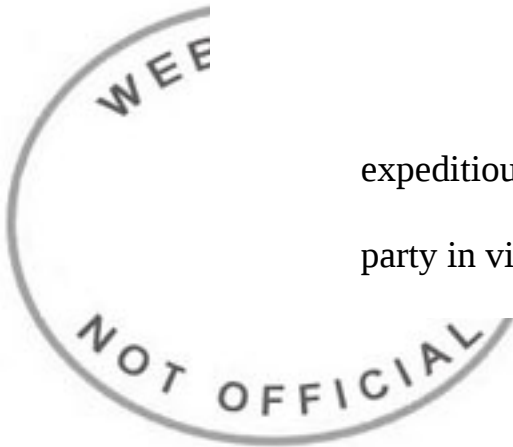
However, the Complainant filed a Protest Petition whereafter the case proceeded.

Since the Petitioner seeks quashing on disputed question of facts which cannot be gone into at the stage of 482 Cr. P. C., I am

not inclined to interfere in the matter.

The application is **dismissed**.

The Trial Court is directed to proceed in the matter expeditiously without granting unnecessary adjournment to any party in view of direction of the Apex Court.



JA/-

(Anjana Prakash, J)

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