

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11037 of 2013

Arising Out of PS.Case No. -154 Year- 2011 Thana -BANIAPUR District- - Chapra (Saran)

=====

Utkal Mahapatra, son of Jogendra Mahapatra, at present the Collection Manager
Magma Finance Corp. Ltd., Office no. 101-102, 1st Floor, Rajendra Ram Plaza,
Exhibition Road, P.S. Gandhi Maidan, Patna – 800 001.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bhagwan Mahto, son of Sitam Mahto, village Medhuka, P.S. Bajiypur, Distt.
Saran.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr. Satyavrat Verma, A.P.P.

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 01-09-2015

Heard learned counsel for the Petitioner and the State. No
one appears on behalf of the Opposite Party No. 2.

The Petitioner seeks quashing of the order of cognizance
dated 14.3.2012 passed by the Chief Judicial Magistrate, Chapra, in
connection with Baniyapur P.S. Case No. 154 of 2011, Trial No. 5023
of 2012.

The case of the Informant is that the co-accused persons
induced him to take loan for a Tractor, but, finally no loan was
sanctioned to him even though he had made some down payments and
also signed documents.

It has been submitted that the Petitioner happens to be the
Manager of the Finance Company and even if allegations are

accepted, no offence whatsoever is made out as against the Petitioner. Moreover, it appears that the documents are contrary to the claims of the Complainant as is evident from Annexure-2 series.

Considering the aforesaid aspects, the application is allowed and the Proceeding including the order of cognizance dated 14.3.2012 passed by the Chief Judicial Magistrate, Chapra, in connection with Baniyapur P.S. Case No. 154 of 2011, Trial No. 5023 of 2012, so far as the Petitioner is concerned, is hereby set aside.

(Anjana Prakash, J)

S.Ali/-

U		T	
---	--	---	--