

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 35547 of 2014

Arising out of P.S. Case No. -1061 Year- 2010 Thana -
BEGUSARAI COMPLAINT CSAE District- BEGUSARAI

- =====
1. Sundari Devi, Wife of Manoj Kumar Singh.
 2. Manoj Kumar Singh, Son of Late Ram Padarath Singh.
 3. Gautam Kumar, Son of Manoj Kumar Singh.
 4. Kunal Kumar, Son of Manoj Kumar Singh. All resident of Village-
Paspura, P.S.-Muffasil, District-Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bijay Singh, Son of Late Nageshwar Singh, Resident of Village-
Paspura, P.S.-Muffasil, District-Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Mr. Madan Kumar, APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 12-03-2015

The Petitioners seek quashing of the order dated 05.06.2014 passed by the Additional Sessions Judge -V, Begusarai in Cr. Rev. No. 355 of 2012 by which it has affirmed the order dated 09.07.2012 passed by the Judicial Magistrate, 1st Class, Begusarai in Complaint Case No. 1061C of 2010 by which it has taken cognizance in the matter.

It has been submitted that for the same cause of action two cases were instituted one on either side both of them are connected in nature.

The parties are in agreement that all the cases should be set aside in their interest.

Hence, the entire proceeding as against all the accused persons including the order dated 05.06.2014 passed by the Additional Sessions Judge –V, Begusarai in Cr. Rev. No. 355 of 2012 by which it has affirmed the order dated 09.07.2012 passed by the Judicial Magistrate, 1st Class, Begusarai in Complaint Case No. 1061C of 2010 is, hereby, set aside.

Also, the further proceeding of Begusarai Muffasil P.S. Case No. 126 of 2010 and Complaint Case No. 1093(C) of 2010 pending before the Judicial Magistrate, 1st Class, Begusarai is, hereby, set aside.

The Application stands allowed with the aforesaid observations.

(Anjana Prakash, J.)

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