

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30464 of 2012

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Rajendra Prasad S/O Baijnath Prasad Resident Of Andi Gola, P.S-
Muzaffarpur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Janardhan Prasad S/O Late Rishikesh Agrawal Resident Of Sikandarpur
Chowk, P.S Muzaffarpur Town, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma, Adv

For the Opposite Party/s : Mr. Mina Singh, App

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

8 03-04-2015 The petitioner seeks quashing of the order of non-

discharge dated 26.06.2012 passed by the Judicial Magistrate,

Muzaffarpur in G.R. No. 1074 of 2009/Tr. No. 429 of 2012,

arising out of Muzaffarpur Town P.S. Case No. 178 of 2009.

The case of the informant is that he hired a truck
which was supplied by the petitioner who was a commission agent
which truck was loaded with articles and sent to Bettiah.
However, it went missing with the articles and hence the present
case.

It has been submitted on behalf of the petitioner that
evidently as a commission agent he was only required to supply a
truck and he had no further responsibility in respect to the goods

which was loaded on it. Moreover till date nothing is known as to how the truck went missing and who was involved in it.

Considering such aspect of the matter, the application is allowed. The order of non-discharge dated 26.06.2012 passed by the Judicial Magistrate, Muzaffarpur in G.R. No. 1074 of 2009/Tr. No. 429 of 2012 arising out of Muzaffarpur Town P.S. Case No. 178 of 2009, is hereby set aside.

(Anjana Prakash, J)

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