

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 50512 of 2012

Arising out of P.S. Case No. -01 Year- 2011 Thana –Forest
Case District- Aurangabad.

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Arun Kumar Sharma S/o Ram Narayan Sharma R/o Vill. Bela P.S.
Goh, Distt Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Forester Goh, Distt. Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrigank Mouli, Adv.

For the Opposite Party/s: Mr. APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 02-11-2015

The Petitioner seeks quashing of the order of
cognizance dated 25.01.2011 passed by the Sub-
divisional Judicial Magistrate, Daudnagar, Aurangabad in
Forest Case No. 01 of 2011.

It has been submitted that it appears from the
prosecution report that only saw-mill dust was recovered
which would not come within the provision of Bihar Saw
Mills (Regulation) Act, 1990. The further submission is
that repeatedly the same Officer has been harassing and
filing such cases against him for ulterior reasons.

Learned Counsel for the State, Dr. Indihar
Kumari was directed to seek instructions and she
submits that earlier also two other cases had been
instituted against the Petitioner for same reasons.

Having considered the facts of the case, the entire proceeding as against the Petitioner including the order of cognizance dated 25.01.2011 passed by the Sub-divisional Judicial Magistrate, Daudnagar, Aurangabad in Forest Case No. 01 of 2011 is, hereby, set aside.

The Application stands allowed.

(Anjana Prakash, J.)

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