

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.47321 of 2012**

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Shailesh Kumar

.... .... Petitioner/s

Versus

State of Bihar & Anr

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Umeshanand Pandit(App)

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**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI**

**ORAL ORDER**

5      20-07-2015                      Heard learned counsel for the petitioner as well as  
learned A.P.P.

Petitioner happens to be one of the officials of State Bank of India, Hilsa Branch, who including others (petitioners of Cri. Misc. No. 48367/2012) has been prosecuted at the end of O.P. No. 2, the learned advocate practicing in Civil Court, Hilsa, having an allegation that he was assaulted at the Bank premises on account of some sort of altercation having in between.

From the order dated 29.06.2015 passed in Cri. Misc. No. 48367/2012, it is apparent that order of cognizance dated 11.10.2012 passed by learned Lower Court in connection with Complaint Case No. 832(c) of 2012 has already been struck down.

The case of the petitioner stood on similar footing and that being so the order dated 11.10.2012 passed by the Additional Chief Judicial Magistrate, Hilsa in Complaint Case No. 832(c) of 2012, summoning the petitioner including others to face trial for an offence punishable under Sections 323, 341, 504, 34 of the Indian Penal Code is hereby, quashed to the extent of petitioner only.

Petition is allowed.

**(Aditya Kumar Trivedi, J)**

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