

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7733 of 2016

Arising Out of PS.Case No. -963 Year- 2014 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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Raj Ballam Kumar Singh @ Raj Balav Singh son of Kauleshwar Singh,
resident of village- Dubhal, P.S. Magadh Medical, District Gaya

.... Petitioner/s

Versus

1. The State of Bihar
2. Mithilesh Singh son of Late Ram Nandan Singh resident of village-
Ratanua, P.S.- Moffasil, District- Aurangabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha

For the Opposite Party/s : Mr. A.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 04-03-2016

The present application has been filed for quashing the order dated 06.08.2015 passed by learned Judicial Magistrate, Ist Class, Aurangabad in connection with Complaint Case No. 963 of 2014, Trial No. 2061 of 2015, whereby processes have been directed to be issued after cognizance being taken for the offences under Sections 323 and 504 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner that in the background of civil nature of dispute the accusation has been levelled and there is a counter version of the occurrence.

At the time of taking cognizance the learned

court below has to see that accusation prima facie constitutes offence. Hence, this Court is not inclined to interfere at this stage.

Accordingly, this application is disposed of with liberty to the petitioner to raise all the contentions at appropriate stage.

(Dinesh Kumar Singh, J)

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