

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13925 of 2016

Arising Out of PS.Case No. -155 Year- 2013 Thana -GARDANIBAGH District- PATNA

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Birendra Kumar Singh @ Nanhe S/o Late Ram Ekbal Singh, resident of House N. NY/81, Janta Road, Jhunjhun Mahal, New Yarpur, P.S. Gardanibagh, District- Patna.

.... Petitioner

Versus

1. The State of Bihar
2. Ram Anugrah Singh S/o Late Ram Ekbal Singh, resident of Flat No. 403, Ram Prasad Kunj, G.D. Mishra Path, New Patliputra, P.S. Patliputra, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Uday Kumar
For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 08-08-2016 Heard Sri Uday Kumar, learned counsel for the petitioner, learned Addl. Public Prosecutor as well as Sri Raushan, learned counsel, who has appeared on behalf of the informant/Opp.Party no.2.

The petitioner, who claims to be own brother of Opp.Party no.2, has approached this Court, invoking its inherent jurisdiction under Section 482 of the Code of Criminal Procedure, with a prayer to quash an order dated 26.11.2015 passed by learned Judicial Magistrate, 1st Class, Patna in Gardanibagh P.S. Case No.155/2013. By the said order, the learned Magistrate, after submission of charge, has taken cognizance of offence under

Sections 420, 406, 467, 468, 471, 504, 452, 386 and 387 of the Indian Penal Code.

It was submitted by learned counsel for the petitioner that in a civil dispute, colour of criminal offence has been given and, as such, the petitioner has been made accused in the present case. Accordingly, a prayer has been made for quashing the impugned order.

I have perused the F.I.R. as well as impugned order. I do not find any apparent error in the impugned order warranting interference. The petition stands dismissed.

(Rakesh Kumar, J)

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