

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 18915 of 2010

Arising Out of PS.Case No. -0 Year- null Thana -null District- Supaul

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Javed Ashraf son of Mahfuz Alam Resident of village Nabi Nagar P.S. Dulhin
Bazar Distt. Patna

.... Petitioner/s

Versus

1. State of Bihar
2. Sulekha Devi wife of Kailash Prasad Mehta

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Adv.
Mr. Manish Kumar, Adv.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 05-01-2016

The petitioner seeks quashing of the order of cognizance dated 23.02.2010 passed by the S.D.J.M, Birpur in Complaint Case No. 460 of 2009/Tr. No. 926 of 2010.

It has been submitted on behalf of the petitioner that petitioner was the Junior Engineer of the Electricity Department and while discharging his official duty had gone to conduct the raid in the ice factory of the complainant's husband who had threatened him against which he had filed a complaint on 23.02.2010, the present complaint was maliciously filed.

On the last occasion notices had been issued to the O.P. No. 2 but none appeared on her behalf.

Considering the aforesaid facts, the application is allowed

and the order of cognizance dated 23.02.2010 passed by the
S.D.J.M, Birpur in Complaint Case No. 460 of 2009/Tr. No. 926 of
2010, is hereby set aside.

(Anjana Prakash, J)

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