

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40623 of 2010

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

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1. Rajiv Kumar son of Rajendra Prasad @ Munna
 2. Rajendra Prasad @ Munna son of Shri Ashrafi Mahto, both resident of village Behat, Police Station Jhanjharpur (R.S. Shivir), District Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Vijay Kumar Singh son of late Yugal Kishore Singh, resident of village Kanhauli, Police Station Jharjharpur, District Madhubani

.... Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the State : Mr. Uppendra Kumar, APP

For Opposite Party No.2 : None

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 23-02-2016

No one appears on behalf of either of the parties.

The Petitioners seek quashing of the order of cognizance dated 15.12.2007 passed by the court of Shri D.K. Singh, Judicial Magistrate, 1st class, Jhanjharpur, Madhubani in Complaint case No.598 of 2007 (Trial No.2826 of 2007).

The case of the Complainant is that his wife had taken a gas connection and when he went to the Petitioner No.2 for delivery of gas he was told that he has no gas and instead demanded extra money.

On going through the facts of the case, I am unable to understand as to how any criminal offence is made out in the facts of

the case and why the case proceeded on such bald allegations.

Hence, the application is allowed and the proceeding including the order of cognizance dated 15.12.2007 passed by the court of Shri D.K. Singh, Judicial Magistrate, 1st class, Jhanjharpur, Madhubani in Complaint case No.598 of 2007 (Trial No.2826 of 2007) is hereby set aside.

(Anjana Prakash, J)

Narendra/-

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