

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32140 of 2013

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1. Kedar Mistri Son Of Late Narayan Mistri Resident Of Village - Roh,
P.S.- Roh, District - Nawada At Present Posted As Head Master Of Primary
School, Beldih, Block - Roh, District – Nawada Petitioner

Versus

1. The State of Bihar
2. Rajesh Ukamr Prabhakar, Son of Babulal Mahtha, Pirmary Teacher,
Primary School, Roh, Hindi Kanya
3. Rakesh Kumar Prabhakar, Son of Babulal Mahtha, Teacher of Mahabir
Chaudhary High School, Tarapur, Munger
4. Babu Lal Mahatha, Son of Baudhu Mahatha, Head Master, New Created
Middle School, Loharpura, Nawada
5. Gyan Prakash @ Guddu Kumar, Son of Babulal Mahtha, Primary School,
Teacher, Chhatarwar, Pakari Barawan, Nawada
6. Mamta Kumari, Wife of Rakesh Kumar Prabhakar, Bal Didi Pasi Tola,
Under Bazar, Roh
7. Savitri Devi of Babulal Mahtha
8. Bibha Kumari Daughter of Babulal Mahtha
9. Krishna Chaudhari Son of Lakhan Choudhary, Opposite Party No. 2 To 9
Are, Resident of Village - Roh Under Market, P.S.- Roh, District – Nawada
.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Pramod Kumar Verma, Adv.
For the Opposite Parties : Mr. Navin Kr. Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

3 10-03-2016

Heard the learned counsel for the petitioner.

This is a petition for quashing the order, dated 20.04.2013, passed by the Additional Sessions Judge, I, Nawadah, in Criminal Revision No. 30 of 2011 by which he has confirmed the order of dismissal of complaint under Section 203 of the Criminal Procedure Code in Complaint Case No. 869 of 2009.

There is allegation that the accused persons abused the Coordinator, assaulted and snatched Rs.1200/- from his pocket and also snatched the wrist watch, golden chain, ring by both the lady accused and male accused.

The learned Magistrate taken into consideration the evidence on the allegation, absurd, and that there is allegation of

assault, but, there is no injury report, the matter not reported to the police or Superintendent of Police and finding there is no explicit explanation, held that prima facie, case is not made out.

The revisional Court also considered the impugned order and taking into consideration that no sufficient material for proceeding, rejected the revision petition. The learned Magistrate has considered the evidence of the witnesses and given the reason for holding that there is no prima facie case.

I do not find any merit to interfere with the impugned order.

This petition is **dismissed**.

(Gopal Prasad, J)

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