

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 32590 of 2010

Arising out of P.S. Case No. -2291C Year- 2009 Thana –
Complaint Case District- BEGUSARAI

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Anil Kumar Sinha @ Anil Singh, Son of Sri Shyamdeo Singh, O/c
Barauni Police Station, District-Begusarai permanent resident of
Village-Satpura, P.O. Barakorium, P.S.+Distt.-Arwal (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

2. Sanjay Kumar Rai, Son of Sri Fulena Rai, Resident of Village-
Papraur, P.S.-Barauni, Distt.-Begusarai (Bihar).

.... Opposite Party/s

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Appearance :

For the Petitioner/s: Mr. Yogendra Kumar Singh, Adv.

For the Opposite Party/s: Mr. APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 01-02-2016

The Petitioner seeks quashing of the order of
cognizance dated 28.01.2010 passed by the Judicial
Magistrate, 1st Class, Begusarai in Complaint Case No.
2291(C) of 2009.

The case of the Complainant is that he used to
supply truck in different state for carriage of goods and had
also done so for the accused but they did not pay
transportation charge and instead abused him as also stole
diesel oil from two trucks.

It has been submitted on behalf of the Petitioner
that fact of the matter is that the Complainant was proceeded
against by the authorities concerned for irregularities which is
evident from Anenxure-3 i.e. Barauni P.S. Case No. 260 of

2009 and in retaliation the present Complaint has been filed.

Considering the contents of Annexure-3, the entire proceeding as against all the accused persons including the order of cognizance dated 28.01.2010 passed by the Judicial Magistrate, 1st Class, Begusarai in Complaint Case No. 2291(C) of 2009 is, hereby, set aside.

The Application stands allowed.

(Anjana Prakash, J.)

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