

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44413 of 2010

Arising Out of Complaint Case No.840 Year 2004, Trial No. 884 of 2005 District- GAYA

1. Amal Kumar Choudhary, son of Chandra Bhushan Prasad Choudhary
2. Sanjeev Kumar, son of Sri Mahendra Narayan Kunwar
Both residents of village Gouripur, P.S. Bihpur, Distt. Bhagalpur.
3. Madhukar Jha, son of Chandradev Jha, resident of Mohalla Naya Tola, P.S. & P.O. Nath Nagar, Distt. Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Amresh Kumar, son of Mahendra Sharma, resident of village Kumar Colony, New Godown, Maharani Road, P.S. Kotwali, Distt. Gaya.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh, Adv.
Mr. Rajesh Kumar, Adv.
Mr. Anjani Kumar, Adv.
For the State : Mr. D. Nandan, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 29-03-2016

Heard learned counsel for the Petitioners and the State.

The Petitioner seeks quashing of the order of cognizance dated 20.1.2004 passed by the Chief Judicial Magistrate, Gaya, in Complaint Case No. 840 of 2006.

On the ground that the matter has been compromised, notices had been issued to the Opposite Party No. 2 but none appears on his behalf presumably because he has no interest in the same.

Having considered the aforesaid, the application is allowed and the Proceeding including the order of cognizance dated 20.1.2004 passed by the Chief Judicial Magistrate, Gaya, in Complaint Case No. 840 of 2006, is hereby set aside.

(Anjana Prakash, J)

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