

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.588 of 2006

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Anand Nathani, son of late Satya Narayan Nathani, resident of Choudhari Lane, Mohalla Saraiyaganj, P.S. Muzaffarpur Town, Distt. Muzaffarpur, at present residing at D.N. Singh Road, P.S. Kotwali, Distt. Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Assistant Electrical Engineer, Electric Supply Sub Division, Saraiyaganj, P.S. Muzaffarpur Town, Distt. Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ganpati Trivedi, Adv.

For the State : Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 19-01-2016

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks revision of the order of cognizance dated 27.4.2006 passed by the Chief Judicial Magistrate, Muzaffarpur, in G.R. No. 1648 of 1996, Trial No. 1911 of 2006, Tr. No. 230 of 1996 under Section 379 Indian Penal Code and 39/44 of the Electricity Act.

The case of the Assistant Electrical Engineer, Muzaffarpur was that some persons had illegally supplied electricity through Generator to private consumers. A number of persons were named in the First Information Report which is dated 24.8.1995.

The submission of the Petitioner is that evidently the Prosecution is not interested in pursuing the matter, since the case was

filed in the year 1992 and cognizance has been taken only in 2006.
There is no seriousness in pursuing the matter whereas the Petitioner and other accused are being unnecessarily harassed.

Having considered the aforesaid and vague nature of allegation, the application is allowed and the Proceeding including the order of cognizance dated 27.4.2006 passed by the Chief Judicial Magistrate, Muzaffarpur, in G.R. No. 1648 of 1996, Trial No. 1911 of 2006, Tr. No. 230 of 1996, as against all the accused persons, is hereby, set aside.

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(Anjana Prakash, J)

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