

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21691 of 2010

Arising Out of PS.Case No. 847 Year- 2009 Thana -null District- BEGUSARAI

Prabhat Kumar @ Prabhat Kumar Mishra son of Sri Harikant Mishra, resident of
Pahsara, P.S. Naokothi, Distt. Begusarai

.... Petitioner/s

Versus

1. The State of Bihar
2. Sri Jarnardan Kumar Jha, son of Sri Baijnath Jha, resident of Pahsara, P.S.
Naokothi, Distt. Begusarai

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kr. Sinha, Advocate

For the Opposite Party/s : Mr. Ashraf Ansari, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 22-01-2016

The Petitioner seeks quashing of the order of cognizance dated 12.11.2009 passed by the court of Sri S.N. Ram, Judicial Magistrate, 1st class, Begusarai in Complaint case No.847C of 2009.

The case of the Complainant is that on the date of occurrence, the accused persons committed theft of small pocket containing 3000/- rupees on account of previous litigation.

It has been submitted on behalf of the Petitioner that he is respectable person and fact of the matter is that the father of the Petitioner on 24.11.2008 instituted an Informatory Petition No.7715 of 2008 before the Chief Judicial Magistrate, Begusarai against the father of the Complainant, whereafter he instituted this present absurd case.

No one appears on behalf of the Opposite Party No.2.

Having considered that the allegations are frivolous and petty, the prosecution in the interest of justice should be quashed. Hence the application is allowed and the order of cognizance dated 12.11.2009 passed by the court of Sri S.N. Ram, Judicial Magistrate, 1st class, Begusarai in Complaint case No.847C of 2009 is hereby set aside.

(Anjana Prakash, J)

Narendra/-

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