

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37049 of 2010

Arising out of Tekari PS.Case No.122 Year 2007 District- GAYA

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1. Ramashish Kesri, son of Gokul Sao
 2. Devendra Prasad Kesri
 3. Bablu Kesri @ Bablu Pd. Kesri
 4. Munna Kesri @ Jitendra Prasad Kesri
- All No. 2 to 4 are sons of Ramashish Kesri
5. Abhishek Kesri @ Amit Kumar Keshari, son of Devendra Prasad Kesri
 6. Sumet Kumar Keshri @ B.C. Keshari, son of Devendra Prasad Keshari
- All resident of Mohalla Rikabganj, P.S. Tekari, Distt. Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhinay Raj, Adv.

For the State : Ms. Anita Kumari Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 12-02-2016

Heard learned counsel for the Petitioner and the State.

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

The Petitioner seeks quashing of the order dated 23.8.2010 passed by the Judicial Magistrate, Gaya, in Tekari P.S. Case No. 122 of 2007.

The case of the Informant is that on the date of occurrence, while he was demolishing his wall, the accused persons came and threatened and abused him.

It has been submitted on behalf of the Petitioners that in fact, there was a land dispute between the Parties which has led to

institution of the present false Complaint so as to seek a shortcut method to settle the dispute.

Having gone through the facts of the case, I am inclined to accept such submissions and, hence, the application is allowed and the Proceeding including the order dated 23.8.2010 passed by the Judicial Magistrate, Gaya, in Tekari P.S. Case No. 122 of 2007, is hereby, set aside.

(Anjana Prakash, J)

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