

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2290 of 2016

Arising Out of PS.Case No. -532 Year- 2013 Thana -SIWAN COMPLAINT CASE District-
SIWAN

- =====
1. Nand Kishore Singh, Son of Late Ram Chandra Prasad Singh, resident of Mohalla- Mitani Ghat, P.O.- Patna City, P.S.- Khajekala, District- Patna.
 2. Amrendra Kumar Gond, Son of Late Rajendra Sah, resident of Village- Barwa Kapurwa, P.O.- Mirganj, P.S.- Hathua, O.P., District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar
2. Dhananjay Kumar, Son of Sri Murli Manohar Shahi, resident of Village- Bana Chapra, P.S.- Motipur, District- Muzaffarpur. presently posted as Accountant, Kasturba Gandhi Girls School, Jiradei, P.S.- Jiradei, District- Siwan

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 24-06-2016

The present application has been filed for quashing the order dated 25.03.2014 whereby processes have been directed to be issued by learned Judicial Magistrate, Ist Class, Siwan in Complaint Case No. C-532 of 2013 after taking cognizance under Sections 418/34 of the Indian Penal Code.

At the time of taking cognizance the learned Magistrate has to see that accusation, prima facie, constitutes offence. Moreover, the impugned order has been passed on

25.03.2014 and there is nothing on the record to suggest the present stage of the case. Hence, this Court is not inclined to interfere at this stage.

Accordingly, this application is disposed of with liberty to the petitioner to raise all the contentions at the time of framing of charge, if the charge has not been framed as yet.

(Dinesh Kumar Singh, J)

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