

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18895 of 2016

Arising Out of PS.Case No. -297 Year- 2013 Thana -JAKKANPUR District- PATNA

- =====
1. Rabindra Rai
 2. Nageshwar Rai
 3. Nagendra Rai, All are sons of Late Ishwar Rai and are resident of Mohalla- Bigrapur, Police Station- Jakkanpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Smt. Pushpa Sinha 2(APP)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 18-08-2016 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, petitioners are seeking quashing of the order dated 22.05.2014 arising from Jakkanpur P.S. Case No. 297 of 2013 for offence under section 386/34 of the Indian Penal Code.

The counsel for the petitioners has argued that it is basically a civil dispute and when the petitioners filed an application before the D.C.L.R., the present first information report has been lodged. According to him, it is out and out a civil dispute. From the first information report it apparently clears that it may be arisen from a civil dispute, but the allegation constitutes

a criminal offence.

In such view of the matter, this Court does not find any merit in the present application, as the defence of the petitioner cannot be looked at this stage. However, liberty is given to the petitioners to raise all points at the appropriate stage.

With the above observation, this petition is dismissed.

(Shivaji Pandey, J)

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