

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.626 of 2015

Arising Out of PS.Case No. -1076 Year- 2006 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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1. Smt. Neelam Singh Wife of Dr. Suresh Prasad Singh, Principal, Sunshine Preparatory High School, Muzaffarpur
2. Binod Bihari Prasad, Son of Late Kant Prasad
3. Smt. Renu Verma, Wife of Shri Binod Bihari Prasad, Both Resident of Mohalla- Church Raod, In front of Zilla School, Mithanpura, P.S. Mithanpura, Distt. Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bandana Devi Wife of the Complainant Late Amarendra Kumar Jha Resident of Village + P.O. Sugaon, P.S. Sugauli, District - East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamala Kant Tiwary
For the Opposite Party/s : Mr. Veena Kumari Jaiswal (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

4 02-03-2016 Petitioners seek quashing of the order of non-discharge dated 11.08.2010 passed by the learned Chief Judicial Magistrate, Muzaffarpur in Complaint Case No. 1076 of 2006.

The case of the original complainant is that he was appointed as a teacher on a monthly salary but he was only paid part of the said amount. He repeatedly raised the question of increasing his salary but it was not increased and neither was he paid salary nor he was allowed to mark his attendance. It has been submitted on behalf of the petitioners that whereas the petitioner no. 1 is the Principal of the School, the petitioner no. 3 is a Member of the District Board and the petitioner no. 2 is a

complete stranger. If at all payments were made or denied, it was purely as per the procedure prescribed and there was no personal liability of the present petitioners in this regard.

Having considered the aforesaid, the application is allowed and the proceeding initiated against the petitioners in Complaint Case No. 1076/2006 is set aside.

(Anjana Prakash, J)

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