

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28546 of 2013

Arising Out of PS.Case No. -384 Year- 2010 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Rajesh Kumar Arya
2. Ranjeet Kumar Arya
3. Ranvijay Kumar Arya
All S/o Late Hiralal Arya, Resident Of Kulharia Colony, Ashok Raj Path,
P.S. Pirbahore, District- Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. Vikash Shiromani S/o Not Known To The Petitioner, Drugs Inspector,
New Gardener Road Hospital, Income Tax Circle, P.S. Kotwali, District-
Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Uday Pratap Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 25-04-2016 Heard Sri Surendra Kishore Thakur, learned counsel for
the petitioners and Sri Uday Pratap Singh, learned A.P.P.

The present petition was filed in the month of July,
2013 with a prayer to quash an order dated 27.3.2010 passed by
learned Chief Judicial Magistrate, Patna in connection with
Complaint Case No. 384(C-2) of 2010. By the said order the
learned Magistrate has taken cognizance of offences under
Sections 27(d), 28, 28(A), 27(b)(ii) of the Drugs and Cosmetics
Act.

Learned counsel for the petitioners submits that in

relation to the same offence one F.I.R. was also lodged and subsequently, this complaint petition was filed and the order of cognizance is per- se void.

The Court is of the opinion that the learned Magistrate has passed the order on the basis of the complaint. Apparently, I do not find any error warranting interference.

The petition stands dismissed.

(Rakesh Kumar, J)

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