

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2742 of 2011

Arising Out of PS.Case No. -19 Year- 2009 Thana -null District- PATNA

Binod Kumar Singh son of late Muneshwar Singh, resident of village Hathia Kandha, P.S. Shahpur in the district of Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Ramanuj ram son of Hira Lal Ram, at present posted as Head Master, upgraded Middle School. Hathia Khandh, P.S. Shahpur, District Patna

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Nandan Kr., Advocate

For the Opposite Party/s : Mr. M.N. Jha, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 09-05-2016

The Petitioner seeks quashing of the order of cognizance dated 4.12.2010 passed by the A.C.J.M., Danapur, Patna in Shahpur P.S. case No.19 of 2009 disagreeing with the final report.

The case of the Informant is that while construction of the boundary wall of the School started, the ex-Secretary of the School, namely, the Petitioner, started demanding a certain amount of money as 'rangdari' and created a nuisance, on account of which he filed the present First Information Report.

It has been submitted on behalf of the Petitioner that in fact during investigation witnesses said that the allegations were false and, therefore, the police submitted a final report recommending an action against the Informant under Section 182, 211 I.P.C. In fact the

case has been filed because the Petitioner being an office-bearer of the School had issued a show cause notice to the Informant and being aggrieved he filed the present malicious prosecution.

Having considered the aforesaid, the application is allowed and the proceeding including the order dated 4.12.2010 passed by the A.C.J.M., Danapur, Patna in Shahpur P.S. case No.19 of 2009 is hereby set aside.

(Anjana Prakash, J)

Narendra/-

AFR/NAFR	NAFR
CAV DATE	
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