

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 14077 of 2011

Arising out of P.S. Case No. -644 Year- 2009 Thana –
Complaint Case District- GAYA

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Anil Kumar Son of Sri Mahesh Sharma Resident of Sanjay Gandhi
Nagar Road No.- 2, P.S.- Patrakar Nagar, District- Patna At Present
Posted as Sr. Dy Collector at Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mangal Chander Prasad S/o Ram Das Sao Resident of Village-
Pachhati, P.S.- Boadgaya, District- Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Singh, Adv.

For the Opposite Party/s: Mr. APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 27-06-2016

The Petitioner seeks quashing of the order of
cognizance dated 06.01.2010 passed by the Judicial
Magistrate, 1st Class, Gaya in Complaint Case No. 644 of
2008.

The case of the Complainant is that on the date of
occurrence the Accused got demolished his boundary wall
and when he objected he was beaten.

It has been submitted on behalf of the Petitioner
that he was the BDO and had taken legal steps against the
land grabbers including the present Complainant and the
present Complaint has been filed only so that they would
remain safe.

On the other hand, Counsel for the Complainant

submits that since the Petitioner had abused and assaulted him he should be put on trial.

Having considered the background facts of the case, the entire proceeding as against all the accused persons including the order of cognizance dated 06.01.2010 passed by the Judicial Magistrate, 1st Class, Gaya in Complaint Case No. 644 of 2008 is, hereby, set aside.

The application stands allowed.

(Anjana Prakash, J.)

Vikash/-

AFR/NAFR	NAFR
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