

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1326 of 2011

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1. Surendra Kumar @ Munna Singh, son of late Jitendra Singh @ Jitu Singh
2. Sharat Kumar Alias Kakku, son of Surendra Kumar @ Munna Singh
Both resident of village - Mohalla/Village - Mungeriganj, Police Station - Town
Thana, Begusarai, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Vijay Kumar Maharaj, son of late Sitaram Maharaj, resident of mohalla/village -
Mungeriganj, Ward No. - 14, Police Station - Town Thana, Begusarai, District -
Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : None
For the State : Mr. Binod Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 18-04-2016

No one appears on behalf of the Petitioners.

The Petitioner seeks quashing of the order of cognizance dated 2.11.2010 passed by the Judicial Magistrate, 1st Class, Begusarai, in Complaint Case No. 1666(C) of 2010 by which cognizance has been taken by the 1st Judicial Magistrate, Saharsa, on a protest-cum-complaint petition.

It appears that the cases of such petty nature have been instituted by both the Parties against each other.

Considering the nature of the cases, I am inclined to set aside the order dated 2.11.2010 passed by the Judicial Magistrate, 1st

Class, Begusarai, in Complaint Case No. 1666(C) of 2010.

Also for reason of restoring harmony within the Parties who are next door neighbours fighting over a common passage, further Proceedings of Complaint Case Nos. 2280C of 2012, 2281C of 2012 , 2282C of 2012, 2284C of 2012, all are pending before Shri Prakash, Judicial Magistrate, 1st Class, Begusarai, Begusarai Town P.S. Case No. 320 of 2010 pending before Shri Rakesh Kumar, Judicial Magistrate, 1st Class, Begusarai, Begusarai Town P.S. Case No. 184 of 2011 pending before the Additional Chief Judicial Magistrate, IV, Begusarai, Begusarai Town P.S. Case No. 501 of 2012 pending before Rakesh Kumar, Judicial Magistrate, 1st Class, Begusarai, Begusarai Town P.S. Case No. 642 of 2013 pending before Shri Vinit Kumar, Judicial Magistrate, 1st Class Begusarai and Begusarai Town P.S. Case No. 294 of 2015 pending before the Chief Judicial Magistrate, Begusarai, are hereby set aside.

The application stands allowed.

(Anjana Prakash, J)

S.Ali/-