

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.628 of 2011

Arising Out of PS.Case No. -7 Year- 2007 Thana Rudrapur District- Madhubani

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Dhaneshwar Jha, son of late Kapileshwar Jha, r/o village Rudrapur, P.S. Andhrathharhi, Distt. Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ravi Saday, son of Parushram Saday, r/o village Rudrapur, P.S. Andhrathharhi, Distt. Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Mishra, Adv.

For the State : Mr. Nirbhay Kumar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 18-04-2016

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order of cognizance dated 24.6.2010 passed by the Additional Chief Judicial Magistrate, Jhanjarpur, in Rudrapur P.S. Case No. 7 of 2007.

The case of the Complainant is that on the date of occurrence, a minor dispute arose over grazing of the cattle in the field and thereafter he was assaulted and abused by his caste name.

On the last occasion, notices had been issued to the Opposite Party No. 2 but none appears on his behalf.

The submission of the Petitioner is that the present First Information Report is completely false and, it is only for reason of village politics, such a case was instituted.

Having considered the nature of allegation, the application is allowed and the Proceeding including the order of cognizance dated 24.6.2010 passed by the Additional Chief Judicial Magistrate, Jhanjarpur, in connection with Rudrapur P.S. Case No. 7 of 2007, is hereby set aside.

S.Ali/-

(Anjana Prakash, J)