

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 31162 of 2014
Arising out of P.S. Case No. -411 Year- 2008 Thana -BANKA
District- BANKA

Izhar Alam Son of Late Abdul Shakoor, Resident of Village- Poonas,
P.O.- Santha, P.S.- Kachadhaman, District- Kishanganj, presently
residing A/4 Anand Vihar, Anisabad, P.O.- Anisabad, P.S.-
Phulwarisharif, District and Town- Patna, Pin Code 800002 (Bihar).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Mishra, Adv.

For the Opposite Party/s: Mr. APP.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL JUDGMENT
Date: 08-03-2016

The Petitioner seeks quashing of the order dated
02.05.2014 passed by the Judicial Magistrate, 1st Class,
Banka by which it has issued summon under Section 319
Cr.P.C. in Banka P.S. Case No. 411 of 2008 (G.R. No. 1389 of
2008).

Considering that it is only on speculation that the
Petitioner is sought to be put on trial, the order dated
02.05.2014 passed by the Judicial Magistrate, 1st Class,
Banka in Banka P.S. Case No. 411 of 2008 (G.R. No. 1389 of
2008) is, hereby, set aside.

The Application stands allowed.

(Anjana Prakash, J.)

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