

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48769 of 2014

Arising Out of PS.Case No. -715 Year- 2003 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Hira Mahto @ Hiranman Mahto Son of Late Thakur Mahto
 2. Prahalad Ram Son of Bijadhar Ram
 3. Parsan Thakur Son of Ram Dayal Thakur, all are resident of Village - Amawa Majhar, P.S. - Bettiah (M), District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Jatha Devi @ Jalaha Devi Wife of Bigu Mahto, Resident of Village - Amwa Majhar, P.S.- Bettiah(M), District - West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastava, Advocate

For the State : Mr. Rajendra Singh Shastrijee, APP

For Opposite Party No.2 : Mr. Mukesh Kumar, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 24-06-2016

The Petitioners seek quashing of the order dated 26.7.2014 passed by the court of Sri S.K. Roy, Judicial Magistrate, 1st class, West Champaran, Bettiah in Trial No.661 of 2014 arising out of Complaint case No.715C of 2003, by which he has rejected the petition of the petitioner filed under Section 245 Cr.P.C.

The case of the Complainant is that his fodder cutting machine was stolen allegedly by the Petitioners.

The submission of the Petitioners is that initially a First Information Report was instituted in this regard, which ended in a final report, but subsequently a protest petition was filed and the case

proceeded on the protest.

Considering that an independent agency looked into the allegations and found the case to be untrue, the application is allowed and the proceeding including the order dated 26.7.2014 passed by the court of Sri S.K. Roy, Judicial Magistrate, 1st class, West Champaran, Bettiah in Trial No.661 of 2014 arising out of Complaint case No.715C of 2003 is hereby set aside.

(Anjana Prakash, J)

Narendra/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	28.06.2016
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