

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23262 of 2010

Arising Out of PS.Case No. -0 Year- null Thana -null District- BEGUSARAI

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1. Swapan Kumar Chakarborty, the then Chief Regional Manger, United Bank of India, Abhay Bhawan, IInd floor, Frazer road, Patna and at present working as Deputy General Manger-cum-Chief Regiional Manager, United Bank of India and posted at its 24 Pargana (North) Regional Office at Kolkata
 2. Prasunn Kumar Biswas, the then Branch Manager, United Bank of Inida, Begusarai Branch, District Begusarai at present working under Jharkhand Region

.... Petitioner/s

Versus

1. The State of Bihar
2. Sri Arun Kumar Paswan S/o Sri Medini Paswan, R/o Pokhariya, Ward No.17, P.S. Town, District Begusarai

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. B. Lal, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 01-02-2016

The Petitioners seek quashing of the order of cognizance dated 26.2.2009 passed by the court of Sri Birendra Kumar Mishra, Judicial Magistrate, 1st class, Begusarai in Complaint case No.746C of 2007.

The case of the Complainant is that while he was visiting the Branch on the date of occurrence, he came to know about the relaxation of interest on settlement in liquidating the loan granted to him, but instead of doing so the Petitioners, who were Bank officials, started to abuse him and took his caste name and pushed him out of the premises.

It has been submitted on behalf of the Petitioners that fact of the matter is that the Bank had noticed the Complainant to discharge his liability as is evident from Annexure 2 and his reply Annexure 3 as also the action taken by the Bank as is evident from Annexure 4 and it is thereafter that the present Complaint was filed maliciously in order to harass them.

Having considered the aforesaid, the application is allowed and the proceeding including the order of cognizance dated 26.2.2009 passed by the court of Sri Birendra Kumar Mishra, Judicial Magistrate, 1st class, Begusarai in Complaint case No.746C of 2007 is hereby set aside.

(Anjana Prakash, J)

Narendra/-

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