

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41601 of 2013

Arising Out of PS.Case No. -3359 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Saket Kumar Son Of Late Ashutosh Tiwary Resident Of Village - Tiwary
Chak, P.S.-Naubatpur, Dist.-Patna Petitioner

Versus

1. State Of Bihar
2. Sri Rajendra Pandey Son Of Late Stya Narain Pandey Resident Of
Village - Tiwary Chak, P.S.-Naubatpur, Dist.-Patna Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar Singh, Adv.

For the Opposite Party : Mr. Nagendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 05-07-2017

This application, under Section 482 of the Criminal Procedure Code, has been preferred for quashing the order, dated 07.03.2013, passed in Complaint Case No. 3359 (C) of 2012 by Mr. Ghanshyam Singh, Judicial Magistrate, Patna, whereby cognizance was taken against the petitioner and co-accused, Ajay Upadhyay.

Co-accused, Ajay Upadhyay, had preferred Cr. Misc. No. 48015 of 2013 for quashing of the same impugned order and this Court by order, dated 16.01.2017, quashed the impugned order for the reason that none of the ingredients of offences for which cognizance was taken is made out in the facts and circumstances of this case. The same reason is applicable in the matter of this petitioner also.

Hence, after hearing the parties, the impugned order stands quashed against the petitioner also and this application is allowed.

(Birendra Kumar, J)

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