

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29296 of 2014

Arising Out of PS.Case No. -392 Year- 2011 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Vishal Kumar Son of Sri Brij Bihari Prasad
2. Brij Bihari Prasad Son of Late Damari Sah
3. Bishwas Kumar @ Bishwas Kumar Ranjan @ Vikash Kumar Son of Brij Bihari Prasad All are resident of village- Nokha, P.S.- Nokha, District- Rohtas

.... Petitioners

Versus

1. The State of Bihar
2. Rajendra Prasad Son of Late Gupteshwar Prasad Resident of village + P.S.- Nokha, District- Rohtas

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Jitendra Prasad Singh, Advocate
Mr. Arvind Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ashok Kr. Singh No.1 (App)

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

5 29-08-2017 The petitioners have filed this application for setting aside order dated 18.5.2013 passed by Judicial Magistrate-1st Class, Rohtas at Sasaram in Complaint Case No.392 of 2011 thereby taking cognizance of the offence under Sections 453, 385 and 504 of the Indian Penal Code.

Learned counsel for the petitioners submits that there is a land dispute going on between the both sides and a title suit is also pending and this case is predominantly of civil nature.

Having gone through the contents of the allegation levelled in the complaint it is not that no offence is made out,



moreover, the report of the court below shows that now two witnesses have already been examined during the trial, so this application for the said reason is dismissed.

(Arun Kumar, J)

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