

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29736 of 2014

Arising Out of PS.Case No. -3 Year- 2013 Thana -GAYA COMPLAINT CASE District- GAYA

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Gulvi Devi, wife of Sri Ram Keshwar Mistry, Resident of Village-Birhut, P.O.-
Kurmawa, P.S.-Cherki (Bodh Gaya), District-Gaya.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bachan Prajapat, Son of Late Karghani Prajapat, Resident of Village-Kachauri
Tola Janakpur, P.O.-Kachauri, P.S.-Sherghat, District-Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate.
Mr. Mukesh Jee, Advocate.

For the Opposite Party/s : Mr. Ajay Kumar No. 1, APP.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL JUDGMENT

Date: 11-09-2017

Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner is one of the accused in Complaint Case
No. 03 of 2013. Petitioner seeks quashing of the order dated
30.07.2013 passed by the learned Judicial Magistrate, 1st Class-cum-
Additional Munsif, Sherghati (Gaya) by which he has taken
cognizance against the petitioner under Sections 323,341 and 504/34
of the Indian Penal Code.

3. Learned counsel for the petitioner submits that no
specific allegation is levelled against the petitioner in the entire
complaint except naming her in the accused column. There is land
dispute between both sides, therefore, this false case was lodged



against the petitioner who is a lady.

4. Contrary to the said submission, learned counsel for the State submits that petitioner is named in the complaint petition and there is general allegation against all accused, however, during course of enquiry witnesses have stated that this petitioner also assaulted.

5. Having considered the rival submissions of both sides and on perusal of material on record, it is not that *prima facie* no offence is disclosed against the petitioner, so this quashing application stands dismissed.

(Arun Kumar, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.09.2017
Transmission Date	13.09.2017

