

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 21675 of 2014

Arising Out of PS.Case No. -188 Year- 2013 Thana -SAUR BAZAR District- SAHARSA

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Shivo Yadav son of Late Baldeo Rai resident of village - Kanp Dahu Bharna, P.S.
Sour Bazar, District - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. Gajendra Yadav son of Badri Yadav resident of village - Dahu Bharna, P.S.
Sour Bazar, District - Saharsa

.... Opposite Party/s

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 30-06-2017

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

2 Learned counsel for the petitioner submits that subsequent to lodging of the first information report, the police had submitted final form in this case on 30th of August, 2013 wherein the allegations have been found false and in fact, the police had recommended the initiation of proceedings under Section 182 and 211 of Indian Penal Code against the complainant of Complaint Case No 498 of 2013. Subsequent thereto, cognizance has been taken vide order dated 21.03.2014 finding prima facie case in the matter on basis of allegation made in the said complaint petition.

3 Since the Court found prima facie case in the complaint petition against the petitioner in paragraph 9, there is no



occasion for this Court to exercise jurisdiction under Section 482 of Criminal Procedure Code in the matter.

4 This application is dismissed.

5 The petitioner will have his liberty to move before the Court below for his discharge which shall be considered in accordance with law without being prejudiced by dismissal of this case by this Court.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

