

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6400 of 2015

Arising Out of PS.Case No. -1677 Year- 2011 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

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Chano Devi, wife of late Prakash Sah, Gram Parra, P.S.- Birpur, District-
Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar through S.P. Begusarai
2. Kalpana Bharti @ Moni Devi, wife of Chandan Sah, D/o Jairam Sah,
Gram-Parra, P.S.- Birpur, District- Begusarai. At present residing at
Rajwara, P.S.- Barauni, District- Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyameshwar Dayal, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 06-12-2017 Heard learned counsel for the petitioner as well as

learned counsel for the State.

Petitioner seeks quashing of order dated 20.04.2013

passed by the Sub Divisional Judicial Magistrate, Begusarai in

Complaint Case No. 1677C of 2011 thereby issuing process of

attachment under Section 83 of the Code of Criminal Procedure

against Chandan Sah, son of the petitioner, who is also one of the

accused.

Learned counsel for the petitioner submits that

without execution of the warrant, the process of attachment under

Section 83 of Cr.P.C. has been issued.

It appears that process of attachment has been issued



against Chandan Sah and not against the petitioner. Proclamation for appearance of Chandan Sah was issued by the court under Section 82 of Cr.P.C. as it appeared from order dated 04.03.2012 of the court below, only thereafter process of attachment of property of Chandan Sah has been issued by the court. All these processes are to compel the accused for appearance; moreover the petitioner has no *locus standi* for filing the present application.

This application stands dismissed.

(Arun Kumar, J)

Sujit/-

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