

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.1098 of 2014

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Mosrat Jahan, wife of Md. Ansar, resident of village Shankarpur Sobhan,
Police Station Simari, District Darbhanga

.... Petitioner

Versus

1. The State of Bihar
2. Md. Manjar Alam, son of Late Aarif Hussain @ Nathu, resident of village Sayedpur, Police Station Moro, district Darbhanga
3. Abdul Wasit, son of Abdul Majid, resident of village Chandauli, Police Station Balsandh, District Sitamarhi
4. Smt. Manju Jha, wife of Dr. Chandra Mani Jha, resident of village Shibsagar, New Balbhandra, Police Station Laheriyasarai, District Darbhanga
5. Zafirul Haque, son of Mjobur Rahman, resident of village Shankarpur, Police Station Simari, District Darbhanga

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Respondent/s : Mr. Satyendra Pd.(App)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 03-03-2017 Heard learned Counsel for the parties concerned.

The petitioner is aggrieved by an order, dated 26.11.2014, passed, in Criminal Revision No. 333 of 2014, by learned *Ad hoc* Additional Sessions Judge IV, Darbhanga, whereby he has set aside the order taking cognizance, dated 03.05.2014, passed by learned Judicial Magistrate, 1st Class, Darbhanga.

The petitioner is the complainant, who filed the complaint case, with an allegation that Opposite Party No. 2 executed sale deeds in favour of Opposite Party No. 4,



which land belonged to the mother-in-law of the complainant. It is accordingly the case of the complainant that an offence under Sections 406, 420, 467, 468, 471, 504 read with Section 34 of the Indian Penal Code is made out.

Learned Court below has rightly set aside the order taking cognizance as offence under aforesaid provisions of the Indian Penal Code cannot be said to be made out against the petitioner on the basis of such allegation. The learned Court below has rightly interfered with the order taking cognizance.

This case has no merit and it is accordingly dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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