

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54487 of 2013

Arising Out of PS.Case No. -112 Year- 2013 Thana -SUPAUL District- SUPAUL

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Ghanshyam Yadav, S/O Late Sitaram Yadav, Resident of Village- Rampur Naubad,
P.S./District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ashok Pandit S/O Late Awadh Pandit.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 17-07-2017

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

2. This application, under Section 482 of the Code of Criminal Procedure, is directed against the order dated 22.06.2013 passed in Supaul P.S. Case No. 112 of 2013, whereby the learned Chief Judicial Magistrate, Supaul, took cognizance for the offence under Sections 341, 323, 384, 504 and 506/34 of the Indian Penal Code against five accused named in the F.I.R. including the petitioner.

3. Learned counsel for the petitioner submits that the dispute is of civil in nature and in between both parties, Title Appeal No. 61 of 2013 is pending in the court of Sub-Judge-I, Supaul. It is further submitted that prior to the present case, brother of the



petitioner lodged a case bearing Supaul P.S. Case No. 22 of 2012 against the informant and his family members due to that reason the present case has been lodged with false allegation.

4. On going through the impugned order, I find no illegality in the impugned order amounting to abuse of the process of the court for interference in inherent jurisdiction under Section 482 of the Code of Criminal Procedure.

5. Accordingly, this application is dismissed. However, the petitioner would be at liberty to raise his defence/points in trial court at the appropriate stage.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

AFR/NAFR	
CAV DATE	
Uploading Date	19.07.2017
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