

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52650 of 2013

Arising Out of PS.Case No. -2776 Year- 2011 Thana -PATNA COMPLAINT CASE District-
PATNA

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Niraj Kumar Shrivastava, Son of Nirmal Kumar Shrivastava, Resident of Flat No. 203 Lalita Nikunj Apartment, B - Area, Mithapur, P.S. Jakkanpur, Patna District – Patna.

.... Petitioner.

Versus

1. The State of Bihar.
2. Mahesh Prasad Singh, Son of Late R.A. Singh, R/O Vijaynagar, P.S. Chitraguptanagar, District – Patna.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr.

For the State : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 11-04-2017

Heard.

2. This application, under Section 482 of the Code of Criminal Procedure, is directed against the order dated 11.05.2012 passed in Complaint Case No.2776(C) of 2011, whereunder the court of the Judicial Magistrate, First Class, Patna, summoned the accused-petitioner, under Section 204 of the Code of Criminal Procedure, on inquiry, finding prima facie case under Section 138 of the N.I. Act.

3. From perusal of the impugned order, I find no illegality therein amounting to an abuse of the process of the court for interference with the same in an extraordinary jurisdiction of this



Court under Section 482 of the Code of Criminal Procedure.

4. Accordingly, this application stands dismissed.

However, the petitioner would be at liberty to raise his points, as raised herein, at the appropriate stage in the trial court.

(Rajendra Kumar Mishra, J)

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