

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49402 of 2014

Arising Out of PS.Case No. -485 Year- 2014 Thana -COMPLAINT CASE District- LAKHISARAI
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1. Rito Mistri Son of Basudeo Mistri
2. Bhola Mistri Son of Basudeo Mistri
3. Bangali Mistri Son of Basudeo Mistri
4. Rakesh Mistri Alias Rakesh Kumar Son of Bangali Mistri
5. Mukesh Mistri @ Mukesh Kumar Son of Bangali Mistri
6. Rabin Mistri @ Rabindra Kumar Son of Bhola Mistri
7. Basdeo Mistri Son of Late Ramrup Mistri All Resident of Darhisir, P.S.
Chanan, District Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar
2. Gholu Yadav Son of Bedesi Yadav Resident of Village Darhisir, P.S.
Chanan, District Lakhisarai

.... Opposite Party/s
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Appearance:

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate.
For the Opposite Party/s : Mr. Dasrath Mehta, A.P.P.
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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 13-10-2017 Learned counsel for the petitioners submits that it is a case of false and mala fide prosecution of the petitioners because of land dispute.

This Court has perused the records. There are allegations in the complaint petition which have been supported by the enquiry witnesses which appears from the photocopy of the certified copy of the depositions produced before this Court by the learned counsel in course of hearing.

In view of the allegations which have been supported by the witnesses, no fault may be found with the order taking



cognizance and issuance of summons at this stage.

The petitioners, if so advised, may raise all such pleas which are available to them at the time of framing of charge.

The application is dismissed for the present.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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