

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5318 of 2017

Arising Out of PS.Case No. -886 Year- 2011 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Rajendra Prasad Sao @ Raju Sao Son of late Chhedi Sao, The then Director, Parvati Cold Storage Pvt. Limited, Mahalpar,
 2. Ram Prasad Sao Son of late Kishun Sao, The then Managing Director, Parvati Cold Storage Pvt. Limited, Mahalpar,
 3. Karu Sao Son of Sri Hullas Sao, The then Deputy Managing Director, Parvati Cold Storage Pvt. Limited, Mahalpar
All Resident of Mohalla-Mahalpar, Police Station-Bihar, District-Nalanda
 4. Jogendra Prasad Gupta @ Jogendra Prasad Son of late Harkishun Sao, Managing Director, Parvati Cold Storage Pvt. Limited, Mahalpr, Resident of Mohalla – Khandakpar, Police Station – Bihar, District – Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mahendra Prasad Son of late Mahavir Sao, Resident of Mohalla – Jhingnagar, Police Station – Bihar, District – Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan Prasad No. 1

For the Opposite Party/s : Mr. Sri Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 11-04-2017

Heard learned counsel for the petitioners and

Mr. J.N. Thakur for the State.

The present application has been filed for quashing the order dated 27.11.2015 as contained in Annexure-5 passed in Complaint Case No. 886C of 2011 by learned Chief Judicial Magistrate, Nalanda at Biharsharif whereby processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 406 and 420 of the Indian



Penal Code.

A supplementary affidavit has been filed stating therein that at the stage of pre-charge level two witnesses have been examined under Section 244 of the Cr.P.C.

In the circumstances, this application has become infructuous and accordingly, it is disposed of with liberty to the petitioners to raise all the contentions at the time of framing of charge, if the charge has not been framed as yet.

(Dinesh Kumar Singh, J)

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