

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52867 of 2013

Arising Out of PS.Case No. -1088 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

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Kishori Lal Tulsyan, Son of Late Dulichand Tulsyan, Proprietor- Rani Sati
Pharmaceutical, Resident of- 4, Tara Chand Datta Street, District- Kolkatta- 73.

.... Petitioner.

Versus

1. The State of Bihar.
2. Abhisekh Kumar, (Director) Vinayak Remedies Ltd., Kanti Factory More,
Kankerbagh, P.S.- Agamkuan, District- Patna.

.... Opposite Parties.

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Appearance :

For the Petitioner : M/s. Ritesh Kumar & Dharendra Kumar, Advocates.

For the State : Mr. S.M. Rahman, A.P.P.

For the Opposite Party No.2 : M/s. P.C. Agarwal & Mohit Agarwal, Advocates.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 10-07-2017

Heard.

2. This application, under Section 482 of the Code of Criminal Procedure, is directed against the order dated 19.09.2013 passed in Complaint Case No.1088 of 2013, whereby the court of the Judicial Magistrate, Patna City, 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 against him.

3. On going through 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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