

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46202 of 2013

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Gaurav Kumar Son Of Late Lallu Chaudhary Resident Of Plot No.6, Nav Viaksh Colony, Ashiana Nagar, P.S.- Rajiv Nagar, District- Patna, Pin Code- 800025

.... Petitioner/s

Versus

1. The State Of Bihar
2. Amitav Arun Son Of Sri R.K. Arun Resident Of House No. 337 Road No. 3(I) New Patliputra Colony, P.S.- Patliputra, District- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Adv.
For the Opposite Party/s : Mr. Ajay Kumar Sinha, Adv.
For the State : Mr. Dashrath Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

5 09-05-2017 Heard.

This application under section 482 of the Cr.P.C. is directed against the order dated 11.4.2013 passed in Complaint Case No. 2874 (C) of 2012 whereunder, on enquiry the petitioner has been summoned under section 204 Cr.P.C. for offence under section 406 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner submits that on perusal of Compliant Petition, no offence under section 406 is made out against the petitioner.

On going through the impugned order, I do not find any illegality amounting to abuse process of Court for interference in extraordinary jurisdiction under Section 482 Cr.P.C.



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

(Rajendra Kumar Mishra, J)

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