

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.300 of 2012

Arising Out of PS.Case No. -60 Year- 2007 Thana -null District- BHOJPUR

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Dhananjay Singh @ Dhirendra Singh S/O Bhuneshwar Singh Resident Of Village-
Joyashdih, Police Station- Agiaon Bazar, District- Bhojpur (Arrah)

.... Petitioner

Versus

The State Of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramashray Roy, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL JUDGMENT

Date: 22-06-2017

This Criminal Miscellaneous application has been filed for quashing the order dated 29.09.2011 passed by learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ajiaon Bazar P.S. Case No. 60 of 2007 whereby and whereunder the learned Chief Judicial Magistrate has taken cognizance for the offence punishable under Sections 341, 323, 353, 307, 290/504 of the Indian Penal Code and Section 27 of the Arms Act against Dhananjay Singh son of Bhuneshwar Singh and Ajay Singh son of Vakil Singh.

Heard learned counsel for the petitioner and learned counsel representing the State and also perused the impugned order.

From perusal of the impugned order it appears that the learned Chief Judicial Magistrate has not written the impugned order and he has written the word '*Sangyan*' and further the name of '*Nishit Dayal*' which goes to reflect that the learned Chief Judicial Magistrate



has not applied his judicial mind in passing the impugned order and he has signed the order in mechanical way.

Accordingly, the impugned order dated 29.09.2011 is hereby quashed and the matter is remanded back to the learned Chief Judicial Magistrate, Bhojpur at Ara for passing a fresh order in accordance with law.

In the result, this application is hereby allowed with aforesaid direction.

(Jitendra Mohan Sharma, J)

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AFR/NAFR	NAFR
CAV DATE	
Uploading Date	24.06.2017
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