

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37728 of 2014

Arising Out of PS.Case No. -3966 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Ram Balistha Singh, Son of Late Shiv Govind Singh, resident of
Chandhos, P.S.- Sigori, Distt.- Patna Petitioner

Versus

1. The State of Bihar
2. Santosh Kumar, son of Sri Surya Deo Singh, r/o Sanjay Nagar, Road
No. 9, P.S. Jakkanpur, district Patna Opposite Party

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Appearance :

For the Petitioner : Mr. Santosh Kumar Singh, Adv.
For the Opposite Party : Mr. Binod Kumar 3, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 15-01-2018

Heard the counsel for the parties.

2. The petitioner has challenged the entire criminal prosecution arising out of Complaint Case No. 3966(C) of 2013, which complaint was forwarded to Jakkanpur Police Station for registering a regular case and investigating the same. Pursuant to the aforesaid order passed by the learned Magistrate in the complaint case, Jakkanpur P.S. Case No. 427 of 2013 was registered for investigation under Sections 406, 420, 467, 468, 471, 324, 448 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner has submitted that this is a case of civil liability and the prosecution of the petitioner is absolutely unjustified.

4. However, considering the fact that Jakkanpur P.S. Case No. 427 of 2013 has been investigated and charge sheet has now been submitted, the present petition has become infructuous.

5. If so advised, the petitioner may challenge the order of cognizance or any later order passed by the Court in this case.

6. The present petition is **dismissed** with the liberty as aforesaid.

(Ashutosh Kumar, J)

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