

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.467 of 2016

Arising Out of PS. Case No.-245 Year-2015 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Sanjay Kumar Singh Son of Gopal Singh, Resident of Village- Yadavpur,
P.S.- Tiyar, Distt Bhojpur (Ara) at present Tapavon Int Udoug, Jalilpur, P.O.
Sonna, P.S. Rajpur District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ravikant Singh S/o Triloki Nath Singh R/o Mathouri P.S. Gahamnear Distt
Gazipur UP at present Dhobhighat Gali No.6 Charitravan Buxar, P.S. Buxar
Nagar Distt Buxar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma
For the Opposite Party/s : Mr. Raj Kishore Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 05-09-2018 This petition under Section 482 Cr. P.C. has been filed

for quashing the order dated 15.5.2015 passed by learned J.M.

1st Class, Buxar, in complaint case no. 245C of 2015 by which

the learned Magistrate has taken cognizance for the offence

under Section 138 of the N.I. against the petitioner.

It is mentioned in the order dated 28.1.17 passed by
co-ordinate Bench of this court that petitioner was not ready for
settlement in Lok Adalat. The learned court below, on the basis
of the allegation in the complaint petition, affidavit and
documents available on record and memorandum of cheques
has found *prima facie* case against the petitioner under Section
138 of the N.I. Act.



This Court does not find any illegality in the impugned dated 15.5.2015. Accordingly, this Cr. Misc. petition is dismissed.

The learned court below will proceed with the case in accordance with law.

Petitioner would be granted liberty to raise all the points, as raised in this petition, at the time of framing of charge which shall be considered and disposed off by the learned Court below in accordance with law without being prejudiced by the present order.

(Sanjay Priya, J)

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