

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31381 of 2014

Arising Out of PS.Case No. -1204 Year- 2014 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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D.N. Singh, Branch Manager, Canara Bank Branch - Siwan, Babunia MOre, Siwan
P.S. and District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar
2. Santosh Kumar Gupta, Son of Uday Bhan Gupta, Resident of village - Babunia
More, P.S. and District - Siwan

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni, Advocate.

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL JUDGMENT

Date: 09-01-2018

Heard learned counsel for the petitioner and learned
counsel for the State.

2. Petitioner seeks quashing of the cognizance order
dated 10.06.2014 passed by the Chief Judicial Magistrate, Siwan in
Complaint Case No. 1204 of 2014 thereby taking cognizance against
the petitioner for the offence under Sections 323, 379 and 504 of I.P.C.

3. The short fact giving rise to the case is that
complainant is a distributor of Colgate Company in the District of
Siwan, he was called by the petitioner, the then Branch Manager of
Canara Bank, Siwan, as earlier, complainant had filed a case No. 78 of
2014 before the Consumer Forum for deficiency in service relating to
the bank concerned and started abusing and asked him to sign over a



blank sheet of paper stating that he had no dispute with the Branch Manager. The Branch Manager abused and threatened him with dire consequences and also took out some money from his pocket.

4. Learned counsel for the petitioner submits that petitioner was the Branch Manager of Canara Bank at the relevant point of time and the complainant had taken loan from the said bank and when the bank had stopped the loan amount, he had lodged this false case as he was one of the loanee of the bank.

5. Having considered the rival submissions and on perusal of record, there is no material to show that maliciously prosecution was launched against the petitioner, moreover it is not the case that allegation do not disclose the offence, so this application stands dismissed.

(Arun Kumar, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
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