

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39750 of 2013

Arising Out of PS. Case No.-432 Year-2009 Thana- AURANGABAD TOWN District-
Aurangabad

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DR. RADHESHYAM GUPTA S/O LATE SETU RAM RESIDENT OF
DHARMSHALA ROAD SHAHPUR, P.S. TOWN THANA
AURANGABAD, DISTRICT AURANGABAD.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Manju Sinha W/O Late Satyendra Kumar Resident Of Village Maur Dihari,
P.S. Jamhaur, District Aurangabad, Presently Residing At Behind Gate
School, P.S. Aurangabad, District Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikash Kumar Pankaj
For the Opposite Party/s : Mr. Madhuri Lata (App)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

8 28-06-2018 In the instant case notice was issued to the opposite party
no.2. Today this case has been listed as part heard matter. No
one had appeared on behalf of petitioner on 22.06.2018. Further
proceeding in the Court below in this case was stayed vide order
dated 04.08.2014.

This quashing petition has been filed under Section 482
of Cr.P.C. to quash the order dated 22.05.2013 passed by learned
Chief Judicial Magistrate, Aurangabad in Town P.S. Case No.
432 of 2009 whereby the learned Magistrate has taken
cognizance against the petitioner for offence punishable under
Section 304 of the Indian Penal Code.

From the impugned orders, it appears that cognizance is



taken against the petitioner after perusing the materials available in the case diary by the Court below. This Court does not find any illegality in the impugned order dated 22.05.2013 passed by learned Magistrate,- Aurangabad.

This Cr. Misc. petition is, accordingly, dismissed.

The interim order dated 04.08.2014 passed by coordinate Bench of this Court staying the further proceeding in this case is vacated. The Court below will proceed with the case in accordance with law.

(Sanjay Priya, J)

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