

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4569 of 2017

Arising Out of PS. Case No.-1103 Year-2001 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Arbind Kumar Singh S/o Late Nand Kishor Singh, Resident of Muhalla Clube
Road Aurangabad Dist.- Auranagabad.

... .. Petitioner/s

Versus

1. State Of Bihar
2. S. Sidharth, The Then District Magistrate Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 16-05-2019 Heard learned counsel for the petitioner as well as

learned APP.

Gone through the order impugned dated 23.02.2016

passed by the Chief Judicial Magistrate, Aurangabad relating to

Complaint Case No. 1103/2001 dismissing the complaint

petition for want of sanction.

Learned counsel for the petitioner has submitted that

sanction is to be filed during course of pendency of the

complaint petition.

This is not the issue. The issue is that once the Chief

Judicial Magistrate, Aurangabad has directed and affirmed by

the High Court under Cr. Misc. No. 22791/2003, then in that

circumstance, it was obligatory on the part of the petitioner to



procure the same.

That being so, there happens to be no cogent reason to differ from the finding arrived at by the learned CJM. Consequent thereupon, instant petition is rejected.

(Aditya Kumar Trivedi, J)

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