

IN THE HIGH COURT OF JUDICATURE AT PATNA
SLA No.60 of 2018

Arising Out of PS. Case No.-1563 Year-2008 Thana- PATNA COMPLAINT CASE District-
Patna

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Shambhu Prasad, son of Sri Kapil Deo Prasad, resident of Emarat Kohinoor
Apartment, Flat No. T/9, Road No. 36, P.O. Anisabad, P.S. Gardanibagh,
District- Patna ... Appellant

Versus

1. State Of Bihar
2. Sanjay Kumar, Son of Ramesh Prasad, resident of Flat No. G-10, Emarat
Kohinoor Apartment, Road NO. 36, P.O. Anisabad, P.S. Gardanibagh,
District- Patna at present residing at village- Arkdiyariay, P.S. Tekari,
District- Gaya

... Respondents

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Appearance :

For the Appellant : Mr. Soni Shrivastava, Adv.
For the Respondents : Mr. Abhay Kumar, APP 70

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 18-07-2019 This application under Section 378(4) of the Code of

Criminal Procedure has been filed seeking leave to appeal
against the judgment, dated 13.10.2018, passed in Complaint
Case No. 1563(c) of 2008 whereby and whereunder Additional
Chief Judicial Magistrate-cum-Sub Judge, XV, Patna, has
acquitted respondent no. 2, Sanjay Kumar, of the charges under
Sections 406 of the Indian Penal Code and 138 of the
Negotiable Instrument Act.

Having heard the learned counsel for the appellant
and perusing the impugned judgment, leave is granted to the
appellant to file the appeal against the aforesaid judgment.

The appeal must be filed within thirty days from



today, failing which no appeal, against the aforesaid judgment, shall be entertained.

The Special Lave to Appeal is, accordingly, **allowed**.

(Rajendra Kumar Mishra, J)

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