

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55629 of 2015

Arising Out of PS. Case No.-106 Year-2015 Thana- CHAPRA TOWN District- Saran

- =====
1. Wakil Prasad Yadav S/o - Late Ram Pravesh Yadav
 2. Krishna Kumar S/o Shri Wakil Prasad Yadav Both residents of Vill P.O. - Tejpurwa, P.S. - Marhowrah, District - Saran, Chapra.

... .. Petitioners

Versus

1. State Of Bihar
2. Shri Ramanuj Kumar S/o - Late Rajkeshwar Prasad Singh Branch Manager, Bihar State Co-operative Bank Ltd, Chapra Branch, at Chapra, District - Saran, Chapra.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Siddhartha Harsh, Adv.
For the Opposite Party/s : Mr.Jharkhandi Upadhyay, App

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 04-11-2020 Heard learned counsel for the petitioners and

learned counsel for the State.

This is an application seeking quashing of the F.I.R.

of Chapra Town P.S. Case No. 106 of 2015 dated 21.04.2015

instituted for the offence under Sections 409 and 420 of the

Indian Penal Code.

Learned counsel for the petitioners has submitted

that the case primarily is of civil dispute and even otherwise

the entire money due against the petitioners has been paid by

them and they have also been given No Objection Certificate



by the concerned Bank.

If these facts are brought to the notice of the Investigating Agency, necessary decision shall be taken without wasting any further time and the report shall be submitted before the Court below.

Let a final report in the matter after obtaining all information be filed before the Court below positively within a period of three months from today.

Till the time such final report is filed, there shall be no coercive action against the petitioners.

In case the petitioners are found guilty and charge-sheet is submitted against them, the interim order shall automatically stand vacated.

The petitioners, but, would be entitled to take recourse to legal remedies which are available to them under the law.

This petition stands disposed of with aforesaid observation.

(Ashutosh Kumar, J)

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