

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49418 of 2015

Arising Out of PS. Case No.-12218 Year-2014 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. ANIL THAKUR @ANIL KUMAR THAKUR
 2. Pankaj Thakur @ Pankaj Kumar Thakur 1 & 2 both are son of Budhdeo Thakur
 3. Vikki Kumar S/o Panchanand Thakur
 4. Chhotu Kumar Son of Divakar Thakur All are resident of village P.O. and P.S. Bakhari, District - Begusarai

... .. Petitioner/s

Versus

1. State Of Bihar
2. Vikash Kumar S/o Rajendra Prasad Jaiswal resident of village - Naokothi, P.S. Naokothi, District - Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.A.M.P.Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-03-2023 No one appears on call.

The present petition has been preferred for quashing of the order dated 01.08.2014 for the offences under Section 420 of the Indian Penal Code in connection with complaint against petitioner no. 1 and under section 323 of the Indian Penal Code against all the petitioners in connection with Complaint Case No. 12218 C/2014 dated 11.02.2014 under Begusarai and case is pending in the Court of learned J.M.-Ist Class, Begusarai.

As per the allegation, altogether Rs. 2,49,975 was given to the accused persons by the complainant and they were



known to him and an agreement was also made on non-judicial stamp. However, after the expiry of the date fixed for return of the amount, when a demand was made save and except payment of Rs. 20,000/- no further payment was made and on 08.02.2014, allegation has been made that when he went to the house of accused persons, he was assaulted. Accordingly, the case.

The Court having *prima facie* satisfied took cognizance on 01.08.2014 under section 420 as also 323 of the Indian Penal Code.

Considering the kind of allegation that has come, the learned Court has rightly taken cognizance in the matter on 01.08.2014.

No case of interference is made out.

However as no one has appeared, the petition stands dismissed for non-prosecution with liberty to raise all the points before the Trial Court at an appropriate stage.

(Rajiv Roy, J)

Jagdish/Neha/-

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