

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25625 of 2015

Arising Out of PS. Case No.-1080 Year-2013 Thana- ROHTAS COMPLAINT CASE
District- Rohtas

=====

Smt. Punam Srivastava Wife of Sri Surendra Prasad Srivastava, Resident of Mohalla- Gopalganj, Gaurakshni, Near Old R.M.S. North to Railway Station, Town-Sasaram, District- Rohtas.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Shri Anil Kumar Sinha, Son of Late Rajendra Prasad, presently posted as Chief Manager-cum-Branch Ma
3. Shri Murari Krishna Nanda, Son of Lat Hari Shanker Nanda, presently posted as Lead District Manager
4. Shri Ashok Kumar Pandey, Son of Late Ram Bilas Pandey, Resident of Mohalla- Gopalganj, Sasaram, Recovery Agent, Punjab National Bank, Sasaram, District- Rohtas.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Sinha, Sr. Advocate Mr. Pravin Kumar, Advocate Ms. Minu Kumari, Advocate
For the Opposite Parties :		Mr. Abhay Kumar 1, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 14-02-2023 Heard learned counsel for the petitioner and learned

APP for the State.

This application has been filed for quashing the order dated 09.02.2015 passed by learned Additional Sessions Judge- III, Rohtas at Sasaram in connection with Complaint Case No. 1080 of 2013 by which cognizance order dated 20.09.2014 has been set aside against opposite party no. 2 to 4 for offence under Section 341 and 385 of Indian Penal Code.



From reading of the complaint, it is apparent that this case arises out of the dispute between the bank, the borrower and his family members. *Prima facie*, it appears that it is a malicious prosecution.

This case is squarely covered by the judgment of Hon'ble Supreme Court passed in the case of ***Punjab National Bank Vs Surendra Prasad Sinha*** reported in ***AIR 1992 SC 1815***.

In view of the aforesaid judgment, this application is dismissed.

(Sandeep Kumar, J)

Harsh/

U			
---	--	--	--

