

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 24745 of 2015

Arising Out of PS. Case No.-634 Year-2014 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

Jitendra Sah and Ors

... .. Petitioner/s

Versus

State Of Bihar and Anr

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. Gajendra Prasad Yadav App

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 14-02-2023

Heard the parties.

The allegations made in the complaint are nothing but civil dispute and criminal case is made out as has been submitted by the learned counsel for the petitioner.

Learned APP has opposed the application and has submitted that the application is fit to be dismissed.

In view of the law laid down by the Supreme Court that criminal prosecution should not be made a tool to harass the persons and civil dispute should not be given the colour of criminal matter.

This application is disposed of with a direction to the petitioner to pray for discharge and to raise all the grounds at the time of framing of charge and the trial Court will consider the submissions of the petitioner that no offence is made out.



In view of the law laid down by the Supreme Court
in the case of Murari Lal Gupta vs. Gopi Singh 2005 13 SCC
699 and Bhajan Lal vs. State of Haryana Air 1992 SC 604.

With the aforesaid observations and
directions, this application is disposed of.

(Sandeep Kumar, J)

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