

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39268 of 2015

Arising Out of PS. Case No.-409 Year-2013 Thana- KHAJANCHI HAT District- Purnia

RAJESH SAH @ RAJESH KUMAR NIRALA S/o Bechan Prasad Gupta @
Bachchu Prasad Gupta, resident of Mohalla- Madhubani Bazar, P.S.- K.Hatt,
District- Purnea.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Registrar, Civil Court, Purnea, P.S.- Purnea, District- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.A.L. Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-02-2023 No one appears on behalf of the petitioner on call.

The present petition has been preferred for quashing of the order dated 7.2.2014 passed in K. Hat P.S. Case No. 409/2013 passed by the learned Chief Judicial Magistrate, Purnea by which cognizance has been taken under sections 452, 341, 323, 353 and 427 of the Indian Penal Code and section 3 of Damage to Public Property Act.

As per the prosecution story, the residential quarter of the learned District, Purnea was damaged and illegal construction was done on the plot. When the 'Nazir' of the Purnea Civil Court opposed, they resorted to violence.

After having gone through the materials on record, the



learned Chief Judicial Magistrate, Purnea took cognizance on
7.2.2014.

This Court is satisfied with the decision taken by the
learned Chief Judicial Magistrate, Purnea and no interference is
required in the order dated 7.2.2014.

However, no one has appeared, the petition is
dismissed for non-prosecution with liberty to him to raise all
the points at an appropriate stage before the trial court.

(Rajiv Roy, J)

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