

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36654 of 2015

Arising Out of PS. Case No.-167 Year-2008 Thana- MUFFASIL District- West Champaran

Dhrup Prasad Kushwaha @ Dhrub Narain Prasad Son of Late Jugan Mahto
Resident of village - Koluha, Bhairoganj, P.S. Chauterwa, District - West
Champaran

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Chhabila Mukhiya Son of Chokat Mukhiya resident of village - Pipara,
Pakari, P.S. Bettiah, Muffasil, District - West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithvi Nath Mishra
For the Opposite Party/s : Mr.Dinesh Singh App

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 19-06-2023 Heard learned counsel for petitioner and learned
Additional Public Prosecutor.

The order dated 16.03.2023 reads as follows:

No one appears on call.

The present petition has been preferred for quashing of the order dated 11.03.2015 in Cr. Rev. No. 274/2014 passed by learned District and Sessions Judge, West Champaran and also quashing the order taking cognizance dated 22.07.2014 arising out of Bettiah Muffassil P.S. Case No. 167 of 2008.

As per the prosecution story, the accused persons took Rs. 40,000/- from the complainant with assurance that a tractor will be made available as mortgage for a period of one and half years and the money will be returned within the said period and the tractor will be taken back.

However, after the lapse of fixed period despite several requests for taking away the tractor and return the amount, no step was taken by the accused persons which followed legal notice. The allegation is that in the month of June, the accused persons forcibly took away the tractor and in the



process also abused him. As such, the present case.

From the aforesaid fact, a prima-facie case is clearly made of against the petitioner herein.

On 23.02.2023, an adjournment was sought for. Today on call, no one has appeared.

As a last chance, list this case after two weeks, if no one appears on the next date of hearing, an appropriate order will be passed.

From the order dated 16.03.2023, it appears that none had appeared on 16.03.2023. Today also none had appeared.

The learned Judge on 16.03.2023 has already held that a prima-facie case is made out against the petitioner.

In view of the above, this application is dismissed.

(Sandeep Kumar, J)

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