

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46268 of 2015

Arising Out of PS. Case No.-24879 Year-2014 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Vijay Kumar Dubey, son of Braj Kumar Dubey, resident of House No.0-11, Phasa-I, Ashina Nagar, P.S.-Rajiv Nagar (one of the Directors of Pro Star Services and Sales Private Limited).
2. Prashant Kumar Chaudhary, son of Late Harendra Prasad Choudhary, resident of C/o B.D. Dubey, House No.37, Vatika Puri, Sadikpur, P.S.-Rupaspur, District-Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Amit Keshary, son of Shri Arun Keshary, resident of Shanti Deep, Kamdhenu, Lane, Kankarbagh Road, P.S.-Kankarbagh, District-Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None.
For the Opposite Party/s : Mr.Hirday Pd.Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-03-2023 No one appears on call.

The petitioners have moved this Court for quashing of the order dated 26.06.2014 passed in Complaint Case no.24879 of 2014 passed by Judicial Magistrate, Ist Class under Section 406 of the Indian Penal Code.

As per the prosecution story, it has been alleged by the complainant that he supplied mobile phone worth Rs.4,79,810/- but not provided Rs.2,30,520/-. Further, a cheque of Rs.5 lacs was given to him as security but on assurance the same was not deposited, feeling cheated the present complaint.

The learned court after going through the complaint



and examination of witness where they supported the complainant version, rightly took cognizance against the accused persons under Sections 406 of the IPC.

No case of interference is made out.

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)

Prakash Narayan /-

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