

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48260 of 2015**

Arising Out of PS. Case No.-1355 Year-2011 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Baidyanath Jha son of Late Sidheshwar Jha, Resident of Village- Pahsara,
Police Station- Naokothi, District- Begusarai.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Harekant Mishra, Son of Late Chaturbhuj Mishra, Resident of Village-
Pahsara, Police Station- Naokothi, District- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-03-2023 No one appears on call.

The present petition has been preferred for quashing of the order dated 4.6.2012 passed by the learned Judicial Magistrate 1st Class, Begusarai in Complaint Case No. 1355 C of 2011 whereby cognizance has been taken under section 323, 504, 506 and 417 of the Indian Penal Code as well as the Revisional order dated 15.7.2015 passed in Cr. Revision Case No. 280 of 2012.

As per the prosecution story, the petitioner, Head Master of Upgraded Middle School had committed fraud by making attendance entry in the school register on own hand and on the same date appearing as a witness in criminal cases



against the complainant.

Further allegation is of abuse and threat to the complaint on 30.7.2011. Accordingly, the complaint was filed.

The Court examined the witnesses and thereafter having been satisfied took cognizance in the matter on 4.6.2012.

Aggrieved, the Cr. Revision No. 280 of 2012 was filed before learned Sessions Judge, Begusarai which came to be rejected on 15.7.2015 resulting into the filing of the present petition.

Having gone through the cognizance order as also the revisional order, this Court does not find any lacuna to interfere in the matter.

However, as no one has appeared, the petition stands dismissed for non-prosecution with liberty to raise all the points at an appropriate stage before the Trial Court.

(Rajiv Roy, J)

Ravi/-Kiran

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