

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27312 of 2023

Arising Out of PS. Case No.-3386 Year-2021 Thana- SARAN COMPLAINT CASE District-
Saran

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1. SUMIT GUPTA @ SUMIT KUMAR S/o- VIJAY PRASAD Mohalla-
Mauna Neem Mohan Nagar Ps- Chapra Town, Dist- Saran
 2. Niraj Gupta @ Niraj Kumar son of Vijay Prasad Mohalla- Mauna Neem
Mohan Nagar Ps- Chapra Town, Dist- Saran
 3. Vijay Prasad son of Late Sitaram Prasad Mohalla- Mauna Neem Mohan
Nagar Ps- Chapra Town, Dist- Saran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. THE STATE OF BIHAR MOHALLA MAUNA NEEM MOHAN NAGAR
3. SHUBHAM RAJ MANNU JI MOHALLA MAUNA CHOCK
4. Shubham Raj son of Mannu Ji Mohalla- Mauna Ps- Chapra Town, Dist-
Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 15-05-2023 Heard the parties.

This application has been filed on behalf of the petitioners for quashing the order dated 04.07.2022 passed by learned Judicial Magistrate, 1st Class, Saran at Chhapra in connection with Complaint Case No. 3386 of 2021.

Learned counsel for the petitioners submits that the order taking cognizance is bad in law as no statutory notice has been issued against the drawer of the cheque but he admits that the notice has been issued against the sons of the drawer of the



cheque i.e. petitioner No. 01 and 02.

Cognizance has been taken of the offence and if the petitioners wants to raise some grounds then they have liberty to raise all the grounds during trial.

Accordingly, this application is dismissed.

(Sandeep Kumar, J)

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