

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50782 of 2015**

Arising Out of PS. Case No.-1927 Year-2011 Thana- PURNIA COMPLAINT CASE District-  
Purnia

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1. Kiran Devi and Anr W/o Umesh Chandra Mishra
  2. Umesh Chandra Mishra S/o Late Kamala Kant Mishra Both Resident of village- Ganeshpur, P.S.- K. Nagar, District- Purnea

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Parbati Devi W/o Late Krishna Mohan Yadav, R/o Mohalla- Ganeshpur P.S.- K. Nagar, District- Purnea

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Uday Chandra Pd., APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      17-03-2023                      No one appears on call.

The present petition has been preferred for quashing the Complaint Case No. 1927/2011 by which the learned Judicial Magistrate 1<sup>st</sup> Class, Purnea issued summons bailable warrant, non-bailable warrant dated 18.09.2013 under Sections 406, 420 and 120 of the I.P.C.

As per the prosecution story, the complainant alleged that her land was purchased by the accused persons and a sum of Rs. 55,000/- was paid with the assurance to pay the rest of amount within a period of two months.

Further, allegation is that although some amount were



later paid and rest amount of Rs. 54,000/- was not paid and left with no alternative, the present complaint.

The learned Court, thereafter, vide an order dated 18.09.2013 having put the complaint on Court and took the statement of enquiry witnesses and on the basis of documents on record found prima-facie case against the accused persons under Section 406, 420 and 120 of the I.P.C. and accordingly, cognizance was taken.

Considering the kind of allegation that has come against the petitioners, the learned Court has rightly passed the aforesaid order.

No case for interference is required.

Accordingly, the petition stands dismissed with liberty to the petitioners to raise all the points at an appropriate stage before the Trial Court.

**(Rajiv Roy, J)**

Ravi/-Kiran

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