

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35661 of 2015

Arising Out of PS. Case No.-404 Year-2008 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. Jageshwar Raut Son of Late Jagarnath Raut
 2. Sudhir Raut Son of Jageshwar Raut
 3. Sunil Raut Son of Late Nageshwar Raut
 4. Sujit Raut Son of Late Nageshwar Raut All are resident of Village - Jajuar, Tola - Lakshmipur, P.S. - Katra, District - Muzaffarpur, at present resident of Village - Sirsi, Tola - Narhari, P.S. - Nanpur, District - Sitamarhi.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Subhash Chandra Ruat Son of Late Rudal Raut Resident of Village - Jajuar, Tola - Lakshmipur, P.S. - Katra, District - Muzaffarpur at present residing in Village - Sirsi, Narhari Tole, P.S. - Nanpur, District - Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mauli Chaurasia
For the Opposite Party/s : Mr. Atul Chandra APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 27-02-2023 Heard the learned counsel for the petitioner and

learned APP for the State.

This application has been filed for quashing the entire criminal proceeding of trial no. 242 of 2014 arising out of Complaint Case No. 404/2008 filed on behalf of the complainant opposite party no. 2 against the petitioners for the alleged offence under Section 147, 323, 504, 379 and 447 of the I.P.C. pending in the learned Judicial Magistrate, 1st Class, Pupri, District Sitamarhi.



Learned counsel for the petitioners submits that the petitioners and opposite party no. 2 are relatives and this case has been filed because of the land dispute between them.

He further submits that a title Suit No. 34/2010 (Annexure-III) is pending between them. He further submits that this is a malicious prosecution filed because of pending land dispute between the relatives.

In view of the above, this application is allowed. The entire criminal proceeding of trial no. 242/2014 arising out of Complaint Case No. 404 of 2008 is hereby quashed.

(Sandeep Kumar, J)

Shishir/Vikas

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