

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40307 of 2023

Arising Out of PS. Case No.-148 Year-2020 Thana- HASPURA District- Aurangabad

AKASH GANGA SON OF LATE YOGENDRA SINGH RESIDENT OF
VILLAGE- KOILWAN, PS- HASPURA, DISTT- AURANGABAD

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. NAND KISHORE SINGH SON OF LATE JANESHWAR SINGH
RESIDENT OF VILLAGE- ANGRAHI, PS- DAUDNAGAR, DISTT-
AURANGABAD

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash Kumar
For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 27-07-2023 Heard learned counsel for petitioner and learned
Additional Public Prosecutor.

2.This application is filed for quashing the order dated 21.01.2022 passed by the learned Judicial Magistrate, 1st Class, Daudnagar, Aurangabad in connection with Haspura P.S. Case No. 148 of 2020 (G.R. NO. 587 of 2020) for the offences under Sections 341, 323, 447, 448, 384, 379, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the allegation against the petitioner is of extorting money from the informant.

4. After investigation, the case has been found true



under section 341 and 323 of the I.P.C.

5. It has been submitted by the learned counsel for the petitioner that he was not involved in the crime and due to previous dispute he has been implicated in the present case by the informant.

6. The petitioner has also qualified as Junior Accounts Clerk in the competitive exam held in the year 2014 and learned counsel further submits that because of this case, his entire career will be ruined.

7. I have heard the learned Additional Public Prosecutor also.

8. In my opinion, no offence is made out against the petitioner as it seems a malicious prosecution.

9. In view of the aforesaid facts and in the interest of justice the order dated 21.01.2022 passed by the learned Judicial Magistrate, 1st Class, Daudnagar, Aurangabad in connection with Haspura P.S. Case No. 148 of 2020 (G.R. NO. 587 of 2020) is hereby quashed.

(Sandeep Kumar, J)

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