

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29836 of 2015**

Arising Out of PS. Case No.-204 Year-2006 Thana- SABAUR District- Bhagalpur

Suresh Jha S/o Late Mishri Jha resident of Sartho, P.S. Sabour, District -
Bhagalpur

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Parwati Devi W/o Ram Swaroop Mandal resident of Sardho, P.S. Sabour,
District - Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Madan Kumar APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 20-06-2023 Heard the parties.

This application has been filed for quashing the order dated 29.04.2015 passed by learned Judicial Magistrate-1st Class, Bhagalpur in G.R. No. 2285 of 2006 arising out of Sabour P.S. Case No. 204 of 2006.

The allegation against the petitioner is that he has taken away the son of the informant for domestic help at the house of his son-in-law at Patna and after some days the petitioner has killed the son of the informant and disposed of his body.

It has been submitted by the learned counsel for the petitioner that this case has been filed only to extort money from the petitioner.

Learned counsel for the petitioner further submits that during investigation the son of the informant has been seen in



his village and to support this statement, evidence has also come in Para 10, 11 and 12 of the case diary.

Learned counsel for the State has also examined the case diary and he also supports the fact that evidence has come that the boy was seen in his own village after he was reported to be missing.

Learned counsel for the O.P. No. 02 has appeared and he submits that the boy is still missing.

Considering the aforesaid submission of the parties and also considering the fact that the boy was seen in the village after he was reported to be missing, this application is allowed.

Accordingly, the order dated 29.04.2015 passed by learned Judicial Magistrate-1st Class, Bhagalpur in G.R. No. 2285 of 2006 arising out of Sabour P.S. Case No. 204 of 2006 and entire consequential proceedings arising out of Sabour P.S. Case No. 204 of 2006 is hereby quashed.

(Sandeep Kumar, J)

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