

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27322 of 2024

Arising Out of PS. Case No.-1082 Year-2012 Thana- PATNA COMPLAINT CASE District-
Patna

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M/s Nitco Roadways Pvt Ltd. through its Branch Manager Mr. Dinesh Kumar
S/o Shyam Deo Singh A Unit of NITCO Logistics Pvt. Ltd., office at Nitco
House Jammu, P.S. - Kotwali, Jammu 180002, R/o Shaym Niwas Shanti
Niketan 50 B, Buddha Vihar, Bhhotnath Road, P.S. - Agamkuan, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. M/S Keshav Enterprises, having its Office at Balaji Bhawan of Dak
Bungalow Road, P.S. -Gandhi Maidan Bihar, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the State : Mr.Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 18-07-2024 Heard the parties.

2. The petitioner is challenging the order taking
cognizance dated 30.04.2013 passed by the Judicial Magistrate
-1st Class, Patna in Complaint Case No. 1082(C) of 2012.

3. The present application has been filed on
02.04.2024 challenging the cognizance order which has been
passed on 30.04.2013. The petitioner has challenged the
cognizance order after a delay of about 11 years.

4. In the opinion of this Court, this application cannot
be entertained on the ground of delay and laches.

5. This application is dismissed with liberty to the



petitioner to raise all the grounds at the stage of framing of charge. If any discharge application is filed by the petitioner, the same shall be disposed of by the Magistrate within 30 days of its filing.

6. Let a copy of this order be communicated to the District Judge, Patna Sadar, Patna for its compliance through FAX or e-mail forthwith.

(Sandeep Kumar, J)

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