

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38418 of 2023

Arising Out of PS. Case No.-210 Year-2019 Thana- SURSAND District- Sitamarhi

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1. SHIV CHANDAR MAHTO SON OF LATE MUNESHWAR MAHTO SURSAND, PS- SURSAND, DISTRICT- SITAMARHI
 2. VIJAY KUMAR SON OF SHIV CHANDRA MAHTO SURSAND, PS- SURSAND, DISTRICT- SITAMARHI
 3. ABHAY KUMAR SON OF SHIV CHANDRA MAHTO SURSAND, PS- SURSAND, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. Ram Chandra Mahto S/o Late Munishawar Mahto R/o Village-Sursand, PS- Sursand, District-Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 01-07-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. This application has been filed on behalf of the petitioners for quashing the order dated 27.04.2022 passed by the learned Judicial Magistrate, 1st Class, Sitamarhi in connection with Sursand P.S. Case No. 210 of 2019 by which the learned Magistrate has taken cognizance against the petitioners.

3. Upon perusal of the impugned order by which the learned Magistrate has taken cognizance, it appears that the



same has been passed on a printed format. This type of order is no order in the eye of law and the same cannot be sustained and the printed format orders are passed without application of mind.

4. In view of the above, this application is allowed.

5. Accordingly, the order dated 27.04.2022 passed by the learned Judicial Magistrate, 1st Class, Sitamarhi in connection with Sursand P.S. Case No. 210 of 2019 is hereby quashed.

6. The matter is remitted back to the concerned Court below for fresh consideration of the same in accordance with law.

(Sandeep Kumar, J)

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