

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59314 of 2024

Arising Out of PS. Case No.-1392 Year-2008 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

Amrendra Kumar @ Arbendra Singh @ Arbendra Kumar Son of Late
Ramkeshwar Prasad Singh R/O Flat no-2D, Radha Block, Mukund Kunj
Apartment, Kantifactory Road, P.S.- Agamkuan, District- Patna 800026

... .. Petitioner/s

Versus

1. The State Of Bihar BIHAR
2. Lalan Kumar Yadav Son of Mahendra Prasad Yadav R/O Raghunathpur, P.s.-
Sahebpur Kamal, Dist.- Begusaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Singh
For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 19-09-2024 This is an application for quashing of the order dated

15.12.2010 passed by the J.M.F.C., Balia, Begusarai in
connection with Complaint Case No. 1392(C) of 2008 filed
under Sections 147, 148, 447, 379, 504 of the Indian Penal Code
and after examination of witnesses, the court below has taken
cognizance under Section 302, 504, 427, 34 of the Indian Penal
Code.

2. As per the prosecution case, the petitioner and other
co-accused persons have dug out the soil from the land of the
complainant and use that soil for the construction of dam. When
the complainant restrained the accused persons then the
petitioner and co-accused used abusive language and assaulted



the complainant.

3. From reading of the complaint, prima-facie offences are made out against the petitioner. The order taking cognizance cannot be quashed on the basis of the defence of the petitioner.

4. This application is accordingly dismissed with liberty to the petitioner to raise all the grounds at the stage of framing of charge.

(Sandeep Kumar, J)

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