

Md.Ashraf and ors Vs. the State of Bihar and anr

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Court : Patna

Decided On : Aug-22-2013

Appellant : Md.Ashraf and ors

Respondent : The State of Bihar and anr

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous
No.55006 of 2007

===== 1.
Md. Ashraf son of Ejajul 2. Md. Farooque son of late Hadish 3. Md. Aftab son of
Serazul 4. Abdul Moid son of late Sk. Kadir 5. Nazirul son of late Kadir 6. Alauddin
son of late Sk. Amir 7. Shamimuddin @ Gilasi son of late Sk. Tufail, all resident of
village Bhandar, P.S. Dhaka (Pachapakari O.P.), District East Champaran
Petitioner/s Versus 1. The State Of Bihar 2. Firoz Alam son of Sheikh Ejajul
Haque, resident of village Bhandar, P.S. Dhaka, District East Champaran
Opposite Party/s

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Appearance : For the Petitioner/s : Mr. Farooque Ahmad Khan, Advocate Md.
Sufiyan, Advocate For the State : Mr. R.B.S. Pahepuri, A.P.P. For Opposite Party
No.2 : Mr. Shargeel Mahmood Hashmi, Advocate Mr. Sanjay Sinha, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH ORAL

JUDGMENT

Date:

22. 08-2013 The Petitioners seek quashing of the entire proceeding including the order of cognizance dated 11.7.2007 passed by the Judicial Magistrate, Motihari in Complaint case not C-368 of 2007. It appears that on account of some local problem among the villagers four cases were instituted, three on the side of the present accused i.e. Complaint case No.345C of 2007, Complaint case No.363C of 2007, Complaint case No.369C of 2007, whereas the present Complaint was filed by the Opposite Party No.2 numbered as Complaint case No.368 of 2007. In all the four complaints the Patna High Court Cr.Misc. No.55006 of 2007 dt.22-08-2013 2 allegations appear to be apparently absurd and deserve to be set aside. In view of such, the entire proceeding including the order dated 11.7.2007 passed by the Judicial Magistrate, Motihari in Complaint case not C-368 of 2007 is hereby set aside. The proceedings of Complaint case No.345C of 2007, Complaint case No.363C of 2007, Complaint case No.369C of 2007 pending before the Judicial Magistrate, Motihari are also set aside. Application stands allowed. (Anjana Prakash, J) NAFR/Narendra/-

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