

IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.6225 of 2008

RAVISHANKAR PANDEY, son of late Shyam Bihari Pandey,  
resident of village-Bekapur, P.S. Kotwali, District-Munger -----  
-----Petitioner.

Versus

1. STATE OF BIHAR

2. Arun Kumar Pandey, son of Shri Hari Shankar Pandey, resident of  
village-Bekapur, P.S.-Kotwali, District-Munger-----Opp. Parties.

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2. 31.3.2009 Heard the parties.

In brief, in complaint filed on behalf of opposite party no.2, is that all the accused persons named in the complaint petition entered complainant's house, slapped and on the point of pistol taken away cash and ornaments. Assertion is also there about pendency of a criminal case and looting of the property was for meeting the litigation and that has been made a ground by the learned counsel for the petitioner that only to get compromised civil litigation, which is pending, as admitted, this case is lodged. There is every possibility of false implication but at the same time taking place of the occurrence also. So, the materials available on the record are relevant to decide. There is clear assertion regarding making of a case corroborated by the witnesses.

So, I find it not a fit case in which there requires any interference to quash the order dated 20.7.2007 passed by Shri B.B. Yadav, Judicial Magistrate, Munger, in Complaint Case no.105 ( C ) of 2001. This application is dismissed.

**Sudip**

**( Mandhata Singh, J )**