

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29549 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District- DARBHANGA

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Vijay Kumar Jha son of Late Rude Jha, resident of village- Habibhauar, Police Station- Bahera, District- Darbhanga.

.... Petitioner/s
Versus

1. The State of Bihar.
2. Manikant Thakur son of Sri Ramdev Thakur, resident of village-Havibhuwar, Police Station- Bahera, District- Darbhanga.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the State: : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date: 31-08-2018

The present application under Section 482 of the Code of Criminal Procedure (for short 'the Cr.P.C.') has been filed for quashing the order dated 24.02.2018 passed in Case No.MR-517 of 2017 by the learned Sub Divisional Magistrate, Benipur, Darbhanga whereby he has passed the order against the petitioner and in favour of opposite party no.2 under Section 144 of the Cr.P.C.

2. This application is not only misconceived but also an abuse of process of the court. The order impugned was passed in a proceeding under Section 144 of the Cr.P.C. in February, 2008. Clause (4) of Section 144 of the Cr.P.C. provides that no order under this Section shall remain in force for more than two months from the



making thereof.

3. In that view of the matter, the application is without any merit. It is dismissed accordingly.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	06.09.2018
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