

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19980 of 2015

Arising Out of PS.Case No. -275 Year- 2010 Thana -SHEKHPURA District- SEKHPURA

Raju Sinha @ Rajesh Kumar Sinha, son of Late Raj Kumar Sinha, resident of Village- Girhinda, Police Station- Sheikhpura, District- Sheikhpura.

.... Petitioner

Versus

The State of Bihar

. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar Dwivedi, Advocate

For the Opposite Party/s : Mrs. Sangita Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 18-05-2015

Heard learned counsel for the petitioner and learned counsel for the State.

In the present application filed under Section 482 of the Code of Criminal Procedure, the petitioner has challenged the order dated 12.01.2015 passed by the learned Chief Judicial Magistrate, Sheikhpura in G.R. Case No. 827 of 2010 arising out of Sheikhpura P.S. Case No. 275 of 2010, whereby the application of the petitioner filed under Section 239 of the Code of Criminal Procedure for discharge, has been dismissed.

The petitioner has been made named accused in the case registered for the offences under Sections 419, 420, 170 and 389 read with 34 of the Indian Penal Code. The police investigated

the case and found the allegations to be true in course of investigation, and, accordingly, charge sheet was submitted pursuant to which, cognizance was taken for the alleged offences.

At the stage of framing of charge, an application was filed on 10.01.2014 by the petitioner under Section 239 of the Code of Criminal Procedure for discharge. Though the matter was adjourned from one date to another but for about one year, the application was not pressed. Finally, on 12.01.2015, when the matter was repeatedly called out and none appeared on behalf of the petitioner, the aforementioned order dated 12.01.2015 was passed.

Regard being had to the facts and circumstances of the case, I find no illegality in the impugned order passed by the Court below.

Accordingly, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J.)

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