

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.13177 of 2013**

Arising Out of PS.Case No. -115 Year- 2012 Thana -BATHNAHA District- Sitamarhi

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Sudhakar Jha, Son of Late Ramji Jha, Resident of Village Madhopur, P.S.  
Bathanaha, District Sitamarhi.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

=====

**Appearance :**

For the Petitioner : None

For the State : Mr. Jitendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date: 09-07-2015**

Despite repeated adjournments having been granted, as prayed on behalf of the petitioner, and on the last occasion, as a last indulgence, further time was granted as is being prayed once again when the matter is called out.

2. Heard learned APP for the State.

3. The present petition has been filed for quashing the order dated 15.09.2012 passed in Bathnaha P.S. Case No.115 of 2012 (G.R. No.2023 of 2012) by which the learned Chief Judicial Magistrate, Sitamarhi has taken cognizance of offences under Sections 427, 430 and 431 of the Indian Penal Code and directed issuance of process against the petitioner.

4. A perusal of the impugned order dated 15.09.2012 shows that the same has been passed with due application of mind on

the basis of charge sheet and case dairy, and after finding a prima facie case was made out against the petitioner on the basis of accusations in the FIR, cognizance has been taken.

5. Considering the above, this Court is not inclined to interfere with the impugned order at this stage. The petitioner will be at liberty to raise all points appropriately at the time of framing of charges.

6. The petition, accordingly, stands dismissed.

**(Vikash Jain, J)**

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