

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 46979 of 2014

Arising out of P.S. Case No. -101 Year- 2008 Thana -
GAURICHAK District- PATNA

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Sri Rajmani Singh S/o Late Rambriksh Singh Resident of Village
Chipura, P.S. Gaurichak, District Patna at present residing at
Chiraiyatar, Budh Marg, Kankarbagh, District Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar, Adv.

For the Opposite Party/s: Md. Fahmuddin, APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 08-10-2015

The Petitioner seeks quashing of the order of
charge dated 27.05.2011 passed by the Judicial
Magistrate, Patna City, Patna in Gaurichak P.S. Case No.
101 of 2008 (G.R. No. 1459 of 2008).

The case of the Informant is that the Committee
which had appointed Shiksha Mitra in a certain Block
had not followed rules of procedure and, hence, a First
Information Report was instituted.

It has been submitted that even conceding the
allegations at best it would be a case administrative lapse
and they could not be held culpable for a criminal
offence.

The leaned APP is not in a position to refute
such submission.

Considering such aspects, the entire proceeding

as against all the accused persons including the order of charge dated 27.05.2011 passed by the Judicial Magistrate, Patna City, Patna in Gaurichak P.S. Case No. 101 of 2008 (G.R. No. 1459 of 2008) is, hereby, set aside.

The Application stands allowed.

(Anjana Prakash, J.)

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