

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42295 of 2012

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Sanjay Kumar S/O Ranjan Kumar, At present resident Of 45-Bindeshwari Niwas, Gandhi Nagar, North Shri Krishnapuri, Boring Road, Police Station- Shri Krishnapuri, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indu Bhushan, Advocate

For the Opposite Party/s : Dr. Mayanand Jha (APP)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 16-04-2015 The petitioner was employed as Date Entry Operator in the Forensic Science Laboratory, Bihar. The Incharge Director of the Forensic Science Laboratory, Patna submitted complaint on 11.06.2010 alleging that through order dated 11.06.2010, the petitioner has been removed from service, and that not only he refused to receive the official letter, but also deleted the vital information from the computer in the Forensic Science Laboratory, Bihar. On the basis of that, Shastri Nagar P.S. Case No.216 of 2010 was registered alleging offence under Sections 353 and 427 of the Indian Penal Code, and the matter is now pending in the court of Chief Judicial Magistrate, Patna.

This petition is filed under Section 482 of the Code of Criminal Procedure with a prayer to quash the same.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The complaint against the petitioner is that he has deleted some vital information from the computer that was operated by him in the Forensic Science Laboratory, Patna. The truth or otherwise thereof needs to be dealt with in the trial. The occasion to quash the proceeding under Section 482 Cr. P.C. would have arisen if only the contents of the FIR or the complaint, even if it is taken as true, would not disclose any crime punishable under the law. Such is not the case here.

Therefore, the petition is dismissed.

(L. Narasimha Reddy, CJ)

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