

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 1337 of 2013

Arising Out of PS.Case No. -493 Year- 2011 Thana -Saharsa District- Saharsa

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Md. Badruddin @ Baddu son of Md. Qayyum resident of Village Sitanabad P.S.
Simri Bakhtiarpur Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kumar Kishore Jha In-charge Supply Inspector, Town Area Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 24-11-2015

The petitioner seeks quashing of the order of cognizance dated 05.11.2012 passed by the Sub-Divisional Judicial Magistrate, Saharsa in Special Case No. 11 of 2011 arising out of Saharsa Sadar P.S. Case no. 493 of 2011.

The case of the Officer In-charge of Sadar P.S. Saharsa is that on inspection of the premises of the petitioner's house huge quantity of foodgrains were seized which was stored without any license.

It has been submitted that the petitioner was admittedly house owner and had rented the premises to one Babloo Kumar Sah who was subsequently put on trial and he had been acquitted in the charges.

The case diary was called for to ascertain the role of the

petitioner and it appears that apart from the house owned by the petitioner there is no further complicity of the petitioner.

Considering the aforesaid, the application is allowed and the order of cognizance dated 05.11.2012 passed by the Sub-Divisional Judicial Magistrate, Saharsa in Special Case No. 11 of 2011 is hereby set aside.

(Anjana Prakash, J)

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