

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32943 of 2011

Arising Out of PS.Case No. -0 Year- null Thana -null District- BHABHUA (KAIMUR)

1. Ramdeo Singh, S/O Late Langtu Singh, R/O Village Dumaria, P.S. Sasaram
Mufasil, District - Rohtas

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Ranjan Pandey, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No.2, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 14-09-2015

The Petitioner seeks quashing of the order of cognizance dated 17.01.2011 passed by the Chief Judicial Magistrate, Kaimur at Bhabua, in Durgawati P.S. Case No.39 of 2009.

The case of the Informant, who was Cahukidar, is that that he had seen Swaraj Tractor standing under the *Neem* tree in suspicious condition and when he tried to find out, it was learnt that the Petitioner and his two relatives were using the same and it was stolen property.

In the Case Diary, there is repetition of the same suspicion being expressed against three persons. However, it appears that Final Report was submitted against the Petitioner since

the Tractor was not found even parked near his house but next to the house of Mahendra Singh and Surendra Singh. During investigation, there is no cogent material to show his complicity.

In view of such, the order of cognizance dated 17.01.2011 passed by the Chief Judicial Magistrate, Kaimur at Bhabua, in Durgawati P.S. Case No.39 of 2009 is hereby quashed in so far as Petitioner is concerned.

The application stands **allowed**.

(Anjana Prakash, J)

JA/-

U		T	
---	--	---	--