

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 18921 of 2013

Arising Out of PS.Case No. -5 Year- 2011 Thana –GANDHI MAIDAN District- PATNA

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Ranjan Kumar @ Prakash Ranjan Kumar, Son of Sri Janardan Prasad,
Resident of Village-Parwalpur, P.S. Hilsa, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... 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 MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

4 30-07-2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The present application seeks quashing of the
order dated 13.12.2011 passed by the learned Chief Judicial
Magistrate, Patna in connection with Gandhi Maidan P.S.
Case No. 5 of 2011, G.R. No. 119 of 2011 by which cognizance
has been taken under Sections 420/467/468/471/472/
257/258/353 of the Indian Penal Code against the petitioner
and others.

The allegation against the petitioner is that he,
along with others was caught in possession of forged and
fabricated judicial stamp in a large quantity.

Learned counsel for the petitioner submits that
he was a student who had gone to get an affidavit with regard

to changing his name from Ranjan Kumar to Prakash Ranjan Kumar for the purposes of submitting the same for appearing at the matriculation examination. Learned counsel submits that it was unfortunate that at the relevant time when the raid was conducted the petitioner was also found and was arrested.

Learned A.P.P. has opposed the application and submits that from the First Information Report itself, it is clear that recovery of forged judicial stamp paper has been recovered and further that the petitioner was not caught before the Notary and further that the said Notary before whom the affidavit was affirmed was another person and not the Notary accused in the present case. It is submitted that if the petitioner had already taken the affidavit done, what was the occasion for him to remain at the place where the stamp were being sold.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, this Court does not feel inclined to interfere in the matter.

Accordingly, the application stands dismissed.

However, the petitioner shall be at liberty to agitate the matter before the Court below at the appropriate stage, in accordance with law.

(Ahsanuddin Amanullah, J.)

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