

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33034 of 2009

Arising Out of Barauni P.S. Case No.206 Year- 2004 District- BEGUSARAI

Pappu Singh, son of late Ram Sunder Singh, village Dih, P.S. Birpur, Distt. Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the State : Mr. I.B. Pandey, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 17-08-2015

No one appears on behalf of the Petitioner.

The Petitioner seeks quashing of the order dated 6.5.2009 passed by the Chief Judicial Magistrate, Begusarai, in Barauni P.S. Case No. 206 of 2004. The said case, after due enquiry, was found to be false, hence, the Prosecution under Sections 182 and 211 of the Indian Penal Code was recommended against the Petitioner, upon which, cognizance was taken.

Considering that even if the allegation in the First Information Report was not corroborated, it cannot in all certainty be said that the allegation was false, the application is allowed and the Proceeding including the order of cognizance dated 6.5.2009 passed by the Chief Judicial Magistrate, Begusarai, in Barauni P.S. Case No. 206 of 2004, is hereby set aside.

(Anjana Prakash, J)

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