

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51056 of 2012

Arising Out of PS.Case No. -null Year- null Thana -null District- -

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Prem Shankar Mandal S/O Late Mahadeo Prasad Mandal R/O Village - Bari
Daulatpur, (Munger Road) P.O. & P.S. Jamalpur, District - Munger

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. K.K. Tiwari, Adv.

For the Opposite Party/s : Dr. Indihar Kumari, APP

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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 09.11.2012 passed by the Judicial Magistrate 1st Class, Munger in G.R. No. 1006 of 2012 arising out of Jamalpur P.S. Case No. 64 of 2012.

The case of the acting Headmaster of Uchhvidyalya, Fulka is that the petitioner has appeared twice in matriculation examination by changing his name/parentage/date of birth.

It has been submitted on behalf of the petitioner that the petitioner appeared in 1972 matriculation examination but the result was held up by the Bihar School Examination Board. Then the father of the petitioner made him appeared once again in the next year of matriculation examination. The only mistake that he committed was

that in the earlier examination he appeared as Prem Shankar Prasad son of Mahdeo Mandal date of birth 26.12.1960 whereas in the next examination he appeared as Prem Shankar Mandal son of Mahdeo Prasad Mandal and gave his date of birth as 01.12.1960. Certainly these differences gave him no advantage in any manner who subsequently took up a job as government teacher on the basis of 1973 examination result.

Considering that the differences in the testimonial were very minor and possibly gave no benefit to the petitioner, the application is allowed and the Judicial Magistrate 1st Class, Munger in G.R. No. 1006 of 2012 arising out of Jamalpur P.S. Case No. 64 of 2012 is hereby set aside.

(Anjana Prakash, J)

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