

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33421 of 2010

Arising Out of PS.Case No. -37 Year- 2005 Thana -null District- AURANGABAD

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1. Upendra Nath Singh S/O Late Sahdeo Singh R/O Village - Kaithi, P.S. Obra,
District - Aurangabad

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Block Development Officer, Nabinagar, District - Aurangabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. S.N. Jha, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 16-02-2015

The Petitioner seeks quashing of the order of cognizance dated 1.5.2010 passed by the Chief Judicial Magistrate, Aurangabad in Mali P.S. case No.37 of 2005.

The present case was instituted with regard to embezzlement of Government money.

The Counsel for the Petitioner submits that the Petitioner was the person who looked after the work at Sori Gram Panchayat and it was under the supervision of one Shyam Bihari Mahto, Junior Engineer. It has further been submitted that the entire money has now been adjusted from the Panchayat Secretary.

Considering that both these matters are questions of fact which cannot be gone into at the stage of 482 Cr.P.C, I am not

inclined to interfere in the matter.

The application is disposed of with liberty to the Petitioner to raise all these points at the relevant stage.

(Anjana Prakash, J)

Narendra/-

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