

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39997 of 2012

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Md. Mojibur Rahman, son of Md. Enamul Haque, resident of Village
Mirjapur, P.S. Pothia, District-Kishanganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. Parmanand Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 20-03-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

This application has been filed for quashing the order
23.1.2012 passed by the Judicial Magistrate, Ist Class,
Kishanganj in connection with Pothia P.S. Case No.23 of
2011 by which he has taken cognizance against the petitioner
for offence under Sections 341, 323, 387, 504 and 506/34 of
the Indian Penal Code.

Allegation has been made against the petitioner that he
has demanded extortion money of Rs.500/- per trolley.

Learned counsel for the petitioner submits that
allegation against the petitioner is not sustainable as during
that period he was the lease holder and in this regard he has
relied the lease document.

This Court does not find any error in the impugned

order. Accordingly this application is dismissed. However, the petitioner will be at liberty to raise all points before the court below at the appropriate stage.

Vinay/-

(Shivaji Pandey, J)

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