

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48373 of 2012

Arising Out of PS.Case No. -346 Year- 1994 Thana -Town District- -Muzaffarpur

S.R.B. Shahi (Sri Raj Bahadur Shahi), son of Late Chandrika Prasad Shahi Resident of Village Sahabajpur, P.S. Kanti, District Muzaffarpur. The then Secretary Central Bank of India Staff Co-operative Credit Society Limited Saraiyaganj, P.S. Town, Muzaffarpur. The then Branch Manager, Central Bank of India, Madarna Branch, P.S. Saraiya, District Muzaffarpur.

.... Petitioner

Versus

The State Of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Prabhakar Jha, Advocate

For the Opposite Party: Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 23-04-2015

Heard learned counsel for the petitioner and learned APP
for the State.

2. The present application has been filed for quashing the order dated 27.02.2009 passed in G.R.No.2517 of 1994, Trial No.1934 of 2011 arising out of Town P.S. Case No.346 of 1994 by which the learned Chief Judicial Magistrate, Muzaffarpur has taken cognizance of offences under Section 409 of the Indian Penal Code and directed issuance of summons against the petitioner.

3. It is submitted that the petitioner has been falsely implicated by the Bank Auditor, namely, Mr. Umesh Dutta Sharma only for the purpose of vexation. Moreover, the charge sheet has been filed after long gap of 14 years on 13.12.2008 as the FIR

was instituted on 16.11.1994.

4. Considering the stage of the case and also that a prima facie case has been found against the petitioner having regard to the accusations in the FIR and the materials available on record, this Court is not inclined to interfere with the impugned order. The application, accordingly, stands dismissed.

(Vikash Jain, J)

B.T/-

U		T	
---	--	---	--