

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48057 of 2012

Arising Out of PS.Case No. -3 Year- 2012 Thana -null District- NAWADA

=====

Anjani Kumar Singh son of late Ramkripal Singh, resident of village Bhawanpur,
P.S. Tekari, District Gaya, at present posted as Accounts Clerk (Establishment) in
the office of the District Education Officer, Nawada, P.S. Nawada, District Nawada

.... Petitioner/s

Versus

1. State of Bihar
2. Gopal Sharan son of late Rameshwar Chaudhary, resident of village Chhabaul,
P.S. Kauwakol, District Nawada, at present posted as Headmaster, Town
Middle School, Nawada, P.S. Nawada, District Nawada

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Smt. Renu Kumari, APP

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 17-08-2015

The Petitioner seeks quashing of the order of cognizance dated 9.8.2012 passed by the Chief Judicial Magistrate, Nawada in G.R. case No.119 of 2012 arising out of SC/ST P.S. case No.03 of 2012.

The case of the Informant is that by suppressing his leave application the Petitioner had appointed somebody else as drawing and disbursing Officer.

The case diary was called for, even while notices were issued to the Opposite Party No.2. However no one appears on behalf of the Opposite Party No.2 despite service of notice.

Considering that even conceding the allegations in the

First Information Report no criminal offence is made out, the application is allowed and the proceeding including the order of cognizance dated 9.8.2012 passed by the Chief Judicial Magistrate, Nawada in G.R. case No.119 of 2012 arising out of SC/ST P.S. case No.03 of 2012 is hereby set aside.

Let the case diary be remitted back to the Court below immediately.

(Anjana Prakash, J)

Narendra/-

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