

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11403 of 2015

Arising Out of PS.Case No. -697 Year- 2011 Thana -AGRER District- SASARAM (ROHTAS)

1. Rajendra Prasad, son of Late Gajadhar Sah, resident of village- Akashi, P.S. Agrer, District- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Khurshid Alam, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 09-04-2015

The Petitioner seeks quashing of the order dated 11.12.2014 by which the Sub-Divisional Judicial Magistrate, Sasaram, has refused to discharge the Petitioner in Sasaram (Agrer) P.S. Case No.697 of 2011.

The case of the Informant is that the Petitioner, who was a PDS Dealer, had retained grains without distributing it to the consumers nor did he return the same to the authority concerned.

After the First Information Report was instituted, he deposited the amount due on him which is evident from Annexure-4 at page 20. It is under these circumstances that the Petitioner sought discharge which is noted in the impugned order.

Considering such aspect of the matter and that no useful purpose would be served in prosecuting the Petitioner, the order dated

11.12.2014 passed by the Sub-Divisional Judicial Magistrate, Sasaram,
in Sasaram (Agrer) P.S. Case No.697 of 2011 is hereby set aside.

The application stands allowed.

(Anjana Prakash, J)

JA/-

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