

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12552 of 2013

Arising Out of PS.Case No. -9 Year- 2011 Thana -GOVERNMENT OFFICIAL COMP. District-
Patna

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Munna Mian @ Sarfaraj @ Manna Miyan son of Late Md. Khatib Resident of
Fatehjampur (Sabalpur), Police Station - Didarganj, District - Patna

.... Petitioner

Versus

The State Of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Dr. Manoj Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 19-05-2015

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

2. The present petition has been filed for quashing the
order dated 07.06.2011 passed by the learned Sub-Divisional Judicial
Magistrate, Patna City taking cognizance in connection with C.B.
Case No.9 of 2011/1844/2011 for the offences under Section 16 (1)
(a) (i) of the Prevention of Food Adulteration Act, 1954.

3. A perusal of the impugned order dated 07.06.2011
shows that the same has been passed with due application of mind on
the basis of the prosecution report and other materials available on
record, and after finding a prima facie case was made out against the
petitioner on the basis of accusations made, cognizance has been
taken.

4. Considering the above, this Court is not inclined to interfere with the impugned order at this stage. The petition stands dismissed.

5. The petitioner will be at liberty to raise all points appropriately at the time of framing of charges.

(Vikash Jain, J)

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