

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12746 of 2013

Arising Out of PS.Case No. -19 Year- 2012 Thana -BIHARSHARIF District- -Nalanda

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Rajendra Prasad, son of late Rameshwar Mahto, resident of village-
 Bishunpur Koriyari, P.S.Manpur, Dist. Nalanda.

.... Petitioner/s

Versus

1. State of Bihar
2. Umesh Chandra Upadhaya, son of not known to the petitioner,
 presently posted as marketing Officer-cum-Block Supply Officer,
 Bihar Block, P.S. Bihar, Biharsharif, Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 21-05-2015 Heard learned counsel for the petitioner and learned APP
 for the State.

2. The present application has been filed for quashing the cognizance order dated 12.10.2012 passed by the learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Bihar P.S. Case No. 19 of 2012 for the offence alleged under Sections 406,420/34 of the Indian Penal Code and under Section 3 of the Essential Commodities Act.

3. A perusal of the impugned order of cognizance discloses that the learned Chief Judicial Magistrate, Nalanda at Biharsharif has duly taken into consideration the First Information Report, the materials on record and the case diary and a prima facie case has been found against the accused.

4. In that view of the matter, this Court finds no

infirmity in the impugned order of cognizance.

5. The petition stands disposed of with liberty to the petitioner to raise all the points at the appropriate stage before the learned Court below.

(Vikash Jain, J)

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