

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42383 of 2009

Arising Out of PS.Case No. 96 Year- 2009 Thana -null District- BHAGALPUR

Gouri Shankar Dokania son of Sri Bishwanath Dokania, resident of Marwari tola lane, Police Station Kotwali, District Bhagalpur

.... Petitioner/s

Versus

- 1. The State of Bihar
- 2. Civil Surgeon-cum-Chief Medical Officer, Bhagalpur

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Najmul Hoda, Advocate

For the Opposite Party/s : Mr. B. Lal, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 11-09-2015

The Petitioner seeks quashing of the order of cognizance dated 8.5.2009 passed by the Chief Judicial Magistrate, Bhagalpur in P.S. No.96 of 2009.

The background facts are that the case under the provisions of Food Adulteration Act was instituted against the Petitioner on the ground that he had no license to sell the food articles.

It has been submitted that an application had been given for renewal of license and hence the proceeding is irregular.

Having considered the aforesaid, the application is allowed and the proceeding including the order of cognizance dated 8.5.2009 passed by the Chief Judicial Magistrate, Bhagalpur in P.S. No.96 of 2009 is hereby set aside.

Narendra/-

(Anjana Prakash, J)

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