

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1237 of 2014

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1. Bhawani Krishna Mittal son of Sri Sita Ram Mittal, Proprietor of M/s Mitco Vaccines, E-9, Mahima Place, Govind Mitra Road, Patna, at Present- Resident of Kamala Vihar, Jamal Road, P.S.- Kotwali, District/Town- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. The Rail Superintendent of Police, Patna
3. The Rail Deputy Superintendent of Police, Patna
4. The S.H.O., Rail Police Station, Patna Junction, Patna
5. The Assistant Commissioner, Commercial Taxes, Central Investigating Bureau, Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Respondent/s : Mr. Lalit Kishore(Paag)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 05-08-2015 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks quashing of the FIR in G.R.P. Patna (Rajendra Nagar) P.S. Case No.495 of 2014 registered under section 406 read with 34 of the Indian Penal Code.

The allegations made in the FIR do constitute a cognizable offence.

In that view of the matter, I find no merit in this application. Accordingly, the application is dismissed.

At this stage, learned counsel for the petitioner submits that in case an adverse police report is submitted and

cognizance is taken by the court of Magistrate, the petitioner may be given liberty to challenge the same before this Court under section 482 of the Code of Criminal Procedure.

It is needless to say that in such an eventuality the petitioner will be well within his rights to challenge such an order.

(Ashwani Kumar Singh, J)

Pradeep/-

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