

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.44620 of 2012**

Arising Out of Jalalgarh PS.Case No. -64 Year- 2008 Thana Jalalgarh District- PURNIA

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Shabnam Khatoon, daughter of Md. Arif, resident of village Dimia Shafipur, P.S.  
Jalalgarh, Distt. Purnea.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Md. Abu Haider, Adv.  
Mr. Nadimul Hasan, Adv.  
Md. Abishagir, Adv.  
For the State : Mr. Kanhaiya Kishore, A.P.P.

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH**

**ORAL JUDGMENT**

**Date: 08-05-2015**

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the order dated 19.1.2012 by the Additional Sessions F.T.C. No. I, Purnea, in Criminal Revision No. 464 of 2010 (Trial No. 23 of 2011) by which he has affirmed the order of non-discharge dated 1.9.2010 passed by the Judicial Magistrate, 1<sup>st</sup> Class, Purnea, in G.R. Case No. 1640 of 2008 arising out of Jalalgarh P.S. Case No. 64 of 2008.

The case of the Informant is that the Petitioner who was the Mukhiya along with other members of the Committee selected undeserving persons for appointment of Angan Bari Sevika.

The case diary was called for on perusal of which it appears that while selecting these candidates, the Committee placed

those persons who had obtained lower marks at higher rank and committed such irregularities.

Considering that even if the allegations are true, at best, it is a question of irregularity and for redressal of such grievances, there is a special Tribunal constituted by the State, the application is allowed and the entire Proceeding including the order dated order dated 19.1.2012 passed by the Additional Sessions F.T.C. No. I, Purnea, in Criminal Revision No. 464 of 2010 (Trial No. 23 of 2011) and the order of non-discharge dated 1.9.2010 passed by the Judicial Magistrate, 1<sup>st</sup> Class, Purnea, in G.R. Case No. 1640 of 2008 arising out of Jalalgarh P.S. Case No. 64 of 2008, are hereby set aside.

However, this order shall not give any undue advantage to any of the accused persons.

**(Anjana Prakash, J)**

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