

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51045 of 2012

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Janardan Sharma, son of Sri Ganesh Sharma, resident of village-Bhitthi,
P.S. Goriyakoti, District-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar &
2. Rajesh Kumar Sharma, son of Krishna Sharma, resident of village-Sakhiyabad, P.S.-Baikuntpur, District-Gopalganj at present resident of village-Bind Toli, Shekhpura, P.O.+ P.S. Shastri Nagar, District-Patna.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Chandra Sen Pd.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 30-04-2015 Heard learned counsel for the petitioner and learned
APP for the State.

The present application has been filed for quashing
the cognizance order dated 06.09.2010 passed by the learned
Judicial Magistrate, Ist Class, Patna in connection with Complaint
Case No.2736(C) of 2009 for the offence alleged under Sections
406, 418 Indian Penal Code.

It is submitted that the petitioner has been falsely
implicated in a completely concocted complaint case as the
petitioner had already resigned from the concerned company.

Be that as it may, a perusal of the impugned order
dated 06.09.2010 discloses that a prima facie case has been found
against the petitioner having regard to the accusations in the

complaint case and the materials available on record.

In that view of the matter, this Court find no infirmity in the impugned order of cognizance.

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)

B.Kr./-

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