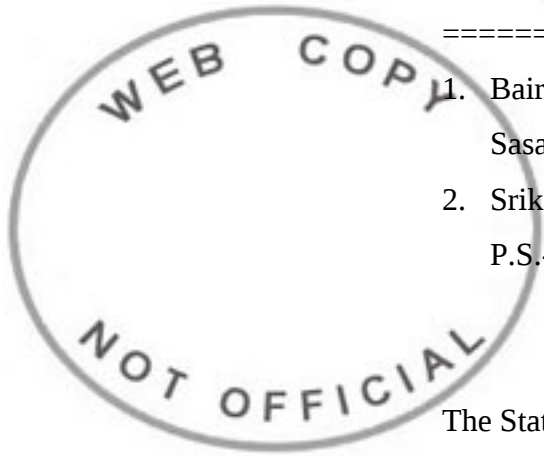


IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46065 of 2012



- =====
1. Bairistar Sah, son of Jagdish Sah, resident of Village-Baradbari, P.S.-Sasaram, District-Rohtas.
 2. Srikant Sharma, son of Late Bhola Sharma, resident of village-Basa, P.S.-Sasaram (M), District-Rohtas.

.... Petitioners

Versus

The State of Bihar

... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 16-04-2015

This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 6.6.2002 passed by the learned Chief Judicial Magistrate, Rohtas at Sasaram in Official Case No. 43 of 2002 by which he has taken cognizance of the offences punishable under Section 40 and 41 of the Mining Act as well as 379 of the Indian Penal Code.

The allegations made in the prosecution report do constitute a cognizable offence.

In that view of the matter, no fault can be found in

the order dated 6.6.2002 passed by the learned Chief Judicial Magistrate, Sasaram. Moreover, the order dated 6.6.2002 has been challenged by the petitioners vide a petition filed under Section 482 of the Code of Criminal Procedure after more than ten years on 9.11.2012. Apparently, the petitioner seems to have evaded to appear before the Court pursuant to the summons issued in 2002.

I find no merit in this application. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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