

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8774 of 2016

Arising Out of PS.Case No. -52 Year- 2013 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Md. Moshim Son of Md. Samijul alias Shamisul Resident of Village-
Hari Narayanpur, P.S.- Madhuban, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. M.K.Khare (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH

ORAL ORDER

2 06-05-2016

The present application has been filed for quashing of the order dated 30.10.2015 passed by learned Additional Chief Judicial Magistrate-IV, East Champaran at Motihari, whereby the learned Chief Judicial Magistrate refused the prayer of the petitioner for passing the order of taking cognizance as the charge-sheet has been submitted against the petitioner.

The impugned order suggests that the investigation is pending against other co-accused, the order has not been passed and charge-sheet has been submitted against the petitioner.

In view of the above, this Court is not precluded to pass any order on the order of taking cognizance.

It is expected from the learned court

below to pass the appropriate order within a period of four weeks from the date of receipt/production of a copy of this order.

It is also expected from the Investigating Agency to conclude the investigation against other accused persons within a period of two months.

Accordingly, the quashing application is disposed of.

(Dinesh Kumar Singh, J)

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