

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.652 of 2016

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Pramod Kumar Tiwari Son of Janak Pasad Tiwari, R/o Ganesh Astha
Manjha, P.S. Phulwaria, District - Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Gopalganj
2. The District Magistrate, Gopalganj
3. The Superintendent of Police, Gopalganj
4. Regional Deputy Director of Education, Saran Pramandal, Saran at Chapra
5. District Education officer, Gopalganj
6. District Programme Officer, (Establishment), Gopalganj
7. District Programme Officer (Primary Education and Sarbshikha Abhiyan), Gopalganj
8. Suraj Lal Prasad Son of Late Deep Lal Sah R/o village - Tarwara, P.S. G.B. Nagar, District - Siwan at Presently working as Block Education officer, Uchakagaon Block, Gopalganj
9. officer - in - Charge, Uchakagaon Police Station, Gopalganj

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Advocate
For the Respondent/s : Mr. Sunil Kumar(AC to GA-12)
For Respondent No.8 : Mr. Bindhyachal Singh, Advocate
Mr. Avinash Kumar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 03-10-2016 Heard Mr. Brij Bihari Tiwary, learned Counsel for the petitioner, and Mr. Sunil Kumar, learned Assistant Counsel to Government Advocate No.12, appearing on behalf of the State-respondents. Heard also Mr. Bindhyachal Singh, learned Counsel, appearing on behalf of respondent No.8.

Having regard to the fact that the petitioner has, admittedly, withdrawn the money, which had been lying in the

official account of the school, without any plausible reason, this Court is clearly of the view that in the facts and attending circumstances of the present case, the First Information Report, which has given rise to Uchakagaon Police Station Case No.110 of 2016, under Section 409 of the Indian Penal Code, cannot be quashed.

This application is, therefore, disposed of.

(I.A. Ansari,CJ)

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