

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7314 of 2016

Arising Out of PS.Case No. -253 Year- 2013 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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1. Anami Sharan Prasad Son of Shiv Narayan Prasad, Resident of Village
Dharampur, Police Station - Satti, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. J.N. Thakur.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-06-2016

The present application has been filed for quashing of the First Information Report of Bettiah Town P.S. Case No. 253 of 2013 registered under Sections 406, 409, 420 of the Indian Penal Code, pending in the Court of learned Chief Judicial Magistrate, Bettiah, West Champaran.

The prosecution case is of misappropriating certain election fund by the petitioner being Nazir in the District Election Office, Bettiah.

It is submitted by learned counsel for the petitioner that petitioner retired in 2008 after issuance of no objection certificate. He is getting full pension.

It is the settled law that F.I.R can be quashed if the accusation does not constitute prima facie case or the prosecution is barred under any law. Hence, this Court is not inclined to interfere. Moreover the case was registered on

19.04.213 but there is nothing on record to suggest the present stage of the case.

Accordingly the application is disposed of with liberty to the petitioner to raise all the contentions at the appropriate stage.

(Dinesh Kumar Singh, J)

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