

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23777 of 2013

Arising Out of PS.Case No. -391 Year- 2011 Thana -SHERGHATI District- GAYA

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Binay Kumar Gupta @ Chunnu Gupta @ Vijay Kumar Gupta , son of Late
Gupteshwar Prasad Gupta Resident Of Mohalla Satsang Nagar, Dak
Banglow Road, Police Station Sherghati, District Gaya.

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 17-03-2016 Heard Sri Ramashish, learned counsel for the petitioner
and learned A.P.P.

The petitioner, in this case has prayed for quashing of
order of cognizance dated 24.1.2013 passed by learned Sub
Divisional Judicial Magistrate, Sherghati, whereby the learned
Magistrate has taken cognizance of offence under Section 7 of the
Essential Commodities Act, Section 3, 4 and 6 of the Liquid
Petroleum and Natural Gas Act. He submits that on the basis of
statement of only one of the witnesses the petitioner has been
made accused whereas no search was conducted in the business
premises of the petitioner. On this ground a prayer has been made
for quashing of the order of cognizance, whereas on perusal of
the order of cognizance it is evident that the learned Magistrate

has taken cognizance after the petitioner along with one another accused was forwarded as accused in column no. 11 of the charge sheet.

I do not find any defect in the order impugned warranting interference.

The petition stands dismissed.

(Rakesh Kumar, J)

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