

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35636 of 2013

Arising Out of PS.Case No. -142 Year- 2011 Thana -BANKA District- BANKA

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Dr. Dev Ranjan Kumar @ Dev Ranjan Kumar, son of Late Gobardhan Mehara, Resident of Village: Bakhari, P.S: Bathanaha, District: Samastipur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kumar Ranjit Ranjan

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 13-05-2016

Heard Sri Kumar Ranjit Ranjan, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The petitioner has approached this Court, invoking its inherent jurisdiction under Section 482 of the Code of Criminal Procedure, against an order 26.06.2012 passed by learned Judicial Magistrate, 1st Class, Banka in Banka P.S. Case no.142/2011 (G.R. No.608/2011) registered for the offence under Sections 467, 468, 471, 420, 409, 120B of the Indian Penal Code. By the said order, prima facie case was found against the petitioner and charges were framed under Sections 467, 468, 471, 420, 409, 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that prior to lodging of the F.I.R., the petitioner had given information to

the police regarding allegation of forged withdrawal. However, subsequently, the Civil Surgeon, Banka filed a report before the Officer Incharge of Banka regarding allegation of misappropriation and in which the petitioner along with others were made accused. Learned counsel for the petitioner accepts that after investigation, the police submitted chargesheet against the accused persons including the petitioner. However, the petitioner did not file any petition for discharge. Finally, charge has been framed by the impugned order.

The Court is of the opinion that once charge has already been framed, there is no reason to interfere with the impugned order.

The petition stands dismissed.

(Rakesh Kumar, J)

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