

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14456 of 2016

Arising Out of PS.Case No. -199 Year- 2014 Thana -SIMRI District- BUXAR

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Birendra Choudhary Son of Sri Shiv Shankar Choudhary, resident of village- Kukuraha, P.S.- Itadhi, District- Buxar. Presently posted in Nawanagar Block as a Panchayat Secretary, P.S.- Nawanagar, District- Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy

For the Opposite Party/s : Mr. Satyendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 01-07-2016

The present application has been filed for quashing the order dated 05.01.2016 passed in Simri P.S. Case No. 199 of 2014 by learned Chief Judicial Magistrate, Buxar whereby processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 420, 406, 409 and 120B/34 of the Indian Penal Code.

At the time of taking cognizance the learned Magistrate has to see that accusation, prima facie, constitutes cognizable offence. Hence, this Court is not inclined to interfere at this stage.

Accordingly, this application is disposed of with liberty to the petitioner to raise all the contentions at the time of framing of charge, if the charge has not been framed as yet.

(Dinesh Kumar Singh, J)

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