

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19301 of 2016

Arising Out of PS.Case No. -15 Year- 2015 Thana -KOTWALI District- PATNA

1. Ashok Kumar Saxena son of Sri Jagdish Saran Saxena, Resident of LIG B-187, Shastripuram, P.S.- Shikandra, Agra, at present residing at A/22, Jagat Amravati Apartment, Officers Flat, Bailey Road, P.S. Kotwali, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajesh Kumar Singh, son of Late Ajit Kumar Singh, resident of Bihta House, Meethapur, P.S. Jakkanpur, District- Patna.

.... Opposite Party/s

with

Criminal Miscellaneous No.24214 of 2016

Arising Out of PS.Case No. -15 Year- 2015 Thana -KOTWALI District- PATNA

1. Jai Prakash Son of Late Ram Naresh Yadav Resident of Kurji Balupar, PS Digha, district Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajesh Kumar Singh son of late Ajit Kumar Singh Resident of Bihta House, Meethapur, PS Jakkanpur District Patna

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.19301 of 2016)

For the Petitioner/s : Mr. Rajan Ghoshrave, Advocate

For the Opposite Party/s : Mr. Sanjay Kr. Sharma (App)

(In Cr.Misc. No.24214 of 2016)

For the Petitioner/s : Mr. Rajan Ghoshrave, Advocate

For the Opposite Party/s : Mr. Sanjay Kr.Sharma(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 24-06-2016

The present applications have been filed for quashing of the First Information Report of Kotwali P.S. Case No. 15 of 2015, registered under Sections 406, 420, 467, 468, 471/34 of the Indian Penal Code.

The prosecution case is that the complainant made certain investment in the Canara Bank, Budha Marg Branch, but the investment was made contrary to the instruction of the petitioner, thereby the informant was cheated and loss was caused to him.

It is submitted by the learned counsel for the petitioners that petitioners are the Chief Manager and Manager of the Bank, Chief Manager was not concerned with the day to day affairs of the Bank particularly investment of the complainant. The day to day affairs of the bank was handled by Senior Manager of the Bank.

Learned counsel for the petitioner fails to suggest that the accusation does not constitute cognizable offence. Moreover, the case was registered on 09.01.2015, but there is nothing on record to suggest the present stage of the case.

Accordingly, this 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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