

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42906 of 2013

Arising Out of PS.Case No. -524 Year- 2013 Thana -SITAMARHI District- SITAMARHI

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Basant Kumar Singh Son Of Late Shiv Kumar Singh Resident Of Flat No. 202, Lalita Appptt., Mithapur, B-Area, Patna And Permanent Resident Of Village+ Post Office+ P.S.- Shukhpur, District- Supaul

... Petitioner

Versus

The State Of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh

For the Opposite Party/s : Mr. Satyavrat Verma (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

4 17-05-2016

Heard learned counsel for the parties.

This application has been filed seeking quashing of the First Information Report of Sitamarhi P.S.Case No. 524/2013 registered for the offences punishable under sections 420 and 409 of the Indian Penal Code.

The said F.I.R. has been registered under the orders of the District Dairy Development Officer, Sitamarhi and the petitioner has been alleged to have embezzled an amount of Rs.1,59,53,932/- while posted as District Dairy Development Officer at Sitamarhi and an amount of Rs.4.72 lacs while posted in the same capacity at Araria.

Several statements have been made in the application and the supplementary affidavit filed on behalf of the petitioner in

order to support his case that the implication of the petitioner is without any basis. However, this Court while exercising jurisdiction under section 482 of the Cr.P.C., particularly for the purpose of quashing of an F.I.R., need not go into such details. The case, which the petitioner has attempted to develop in the present proceeding, can be pressed before the Investigating Officer or the concerned Superintendent of Police, if need be.

Learned counsel, appearing on behalf of the petitioner, has submitted that even in course of investigation, no material has been collected worth evidence to justify the petitioner's implication.

The investigation has still not concluded. The petitioner would be at liberty to submit any material/ document before the I.O. in support of his defence, which can be taken into account by the Investigating Officer.

The application stands disposed of with the aforesaid observation.

(Chakradhari Sharan Singh, J)

Surendra/-

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