

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18456 of 2016

Arising Out of PS.Case No. -118 Year- 2013 Thana -NATHNAGAR District- BHAGALPUR

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Sunil Kumar Arun Son of Dashrath Pandit, Resident of village- Bangdoie,
P.S.- Dhoraiya, District- Banka at Present Posted as Panchayat Technical
Assistant Nath Nagar, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Sri Sanjay Kumar Thakur son of Sri Pramod Thakur, Resident of
village- Dumri, P.S.- Baildur, District- Khagaria

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

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

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 16-09-2016 Heard learned counsel for the petitioner and counsel for
the State.

In this case, the petitioner is challenging an order dated
5.10.2015 passed by Additional Chief Judicial Magistrate,
Bhagalpur in connection with Nath Nagar (Madhusudanpur) P.S.
Case No. 118 of 2013 whereby cognizance has been taken under
Sections 406, 420 and 34 of the Indian Penal Code.

A complaint was filed by the Deputy Development
Commissioner, Bhagalpur making an allegation against four
persons who have misappropriated the government fund.

Learned counsel for the petitioner submits that the petitioner
has already deposited the amount in terms of the direction of the

Hon'ble High Court vide order dated 28.3.2014 in Cr. Misc. No. 40870 of 2013. He has also pointed out that all the sections are compoundable.

Looking to the nature of allegation and the facts and circumstances of the present case, this Court is not inclined to interfere with the order taking cognizance dated 5.10.2015.

This application is, accordingly, disposed of with a liberty to the petitioner to raise all the points at appropriate stage.

(Shivaji Pandey, J)

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