

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20570 of 2016

Arising Out of PS.Case No. -142 Year- 2014 Thana -THARTHARI District- NALANDA
(BIHARSHARIFF)

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Ranjit Kumar, Son of Birendra Kumar, resident of Village- Raipur
Koyalbigha, P.S.- Tharthari, Distt- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Rajesh Kumar Singh, Adv.
Mr. Dharmendra Kumar, Adv.

For the Opposite Party/s : Mr. Shakir Ahmad (APP)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 03-10-2016 Heard learned counsel for the petitioner and

learned counsel for the State.

This application has been filed for quashing the
order of cognizance dated 12.06.2015 passed in Tharthari P.S.
Case No.142 of 2014 by the Sub-Divisional Judicial Magistrate,
Hilsa (Nalanda) for the offence under Section 7 of the Essential
Commodities Act and under Sections 4,19(1)C, 21(a), 05 & 3(3)
of the Fertilizer Control Order.

As per the claim of the petitioner, search and
seizure has not been made by the competent authority.

The defence of the petitioner cannot be looked into
at this stage, which will be looked at the appropriate stage of the

trial. This Court does not find any error in the order of cognizance passed by the court below. Accordingly, this application is dismissed. However, liberty is granted to the petitioner to raise all the points at the appropriate stage of the trial.

(Shivaji Pandey, J)

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