

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 28321 of 2013

Arising Out of PS.Case No. -34 Year- 2012 Thana -MAHILA PS District- JEHANABAD

Ashok Sharma S/O Late Ramjee Sharma Resident of Village Nonhi, Police Station Jehanabad, District Jehanabad.

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Mukesh Kr. Singh (App)

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 22-04-2016 The sole petitioner has approached this Court invoking its inherent jurisdiction under Section 482 of the Code of Criminal Procedure, with a prayer to quash an order dated 18-04-2013 passed by learned Chief Judicial Magistrate, Jehanabad. By the said order, the learned Magistrate has taken cognizance of offence under Sections 376, 354/34 of the Indian Penal Code.

On perusal of the record, it appears that police has submitted final report exonerating the accused, however; the learned Magistrate, after examining the case diary, by way of referring to certain paragraphs of the case diary, which includes the statement of victim recorded under Section 164 Cr.P.C., has passed the order of cognizance differing with the police report.

On perusal of the material on record, I do not find any ground to interfere with the order.

The petition stands dismissed.

(Rakesh Kumar, J.)

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