

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28754 of 2013

Arising Out of PS.Case No. -284 Year- 2003 Thana -KOTWALI District- PATNA

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Sant Prasad @ Sanant Prasad , son of Late Ram Chandra Prasad, resident of Mohalla- South D.V.C. Colony, New Yarpur, Police Station- Gardanibagh, District- Patna, at present residing in Flat No. 2 C.D., Badri Shakuntala Apartment, Near Jhunjhun Mahal, Ny-7/New Yarpur, P.S.- Gardanibagh, Patna- 800001

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar

For the Opposite Party/s : Mr. Upendra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 18-07-2016

The sole petitioner, who was at the relevant time posted in Training Centre, Land Development Bank, has approached this Court, invoking inherent jurisdiction under Section 482 of the Code of Criminal Procedure, with a prayer to quash an order dated 01.04.2013 passed by Sri Amit Raj, Judicial Magistrate, 1st Class, Patna in Kotwali P.S. Case no.284 of 2003. By the said order, the petition filed on behalf of the petitioner under Section 239 of the Code of Criminal Procedure for discharge was rejected.

The case is for offence under Sections 406, 420,467,468, 469, 471, 120(B) of the Indian Penal Code. In the F.I.R. it was alleged that the petitioner in connivance with one of

the accused had misappropriated the fund of the Bank to the tune of more than Rs. 13 Lacs.

On perusal of the material available on record, the Court is satisfied that while rejecting the discharge petition, the learned Magistrate has committed no error.

The petition stands dismissed.

Keeping in view the fact that F.I.R. was lodged in the year 2003 vide Kotwali P.S. Case No.284/2003, while dismissing the present petition, it is desirable to direct the court below to take steps for proceeding and concluding the case at the earliest.

Let a copy of this order be sent to the court below forthwith.

(Rakesh Kumar, J)

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