

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2112 of 2016

Arising Out of PS.Case No. -59 Year- 2014 Thana -JALALPUR District- SARAN

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1. RAMESHWAR RAY SON OF LATE EKAWAN RAI. RESIDENT OF
VILLAGE- MANPUR, P.S.- JALALPUR, DISTRICT- SARAN AT
CHAPRA (BIHAR).

.... Petitioner/s

Versus

1. THE STATE OF BIHAR

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Smt. Pushpa Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-06-2016

The present application has been filed for quashing of the First Information Report of Jalalpur P.S. Case No. 59 of 2014 registered under Section 414 of the Indian Penal Code, pending in the Court of learned Chief Judicial Magistrate, Saran at Chapra as well as release of jeep bearing Registration No. WB 12B 4271.

It is submitted by learned counsel for the petitioner that petitioner is bona fide purchaser of the vehicle in question. Though the vehicle was not transferred on the name of the petitioner on the date of seizure but the actual owner never complained about theft though some discrepancy was found with regard to the chassis number of the vehicle in the registration document.

In view of this Court, the F.I.R can only be quashed if the accusation does not constitute prima facie

cognizable case or the prosecution is barred under certain law. Hence, this Court is not inclined to interfere. Moreover the case was registered on 30.05.2014 but there is nothing on record to suggest the present stage of the case.

Accordingly the application is disposed of with liberty to the petitioner to seek his remedy for release of the vehicle at the appropriate forum.

(Dinesh Kumar Singh, J)

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