

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42216 of 2013

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1. Margub Alam, Son of Late Abdul Hafiz, Resident of Village - Dahibhat,
P.S. - Dighal Bank, District – Kishanganj Petitioner
Versus

1. The State Of Bihar
2. Rizwan Ahmad, Son of Late Abul Kalam Resident of Village - Tulsiya,
P.S. - Dighalbank, District - Kishanganj
3. Miskat Abedin, Son of Late Mirajuuddin Resident of Village - Tulsiya,
P.S. - Dighalbank, District - Kishanganj
4. Saimuuddin, Son of Late Kalim Bux Resident of Village - Tulsiya, P.S. -
Dighalbank, District - Kishanganj
5. Tasir Alam, Son of Late Gyasuddin Resident of Village - Dahibhat
Langapani, P.S. - Dighalbank, District – Kishanganj Opposite Parties

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Appearance :

For the Petitioner : Mr. Sarangdhar Jha, Adv.
For the Opposite Parties : Mr. Sanjay Kr. Tiwary 1 (App)

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

2 08-03-2016

Heard the learned counsel for the petitioner.

This is a petition for quashing the order, dated 05.07.2013, passed by the Ad Hoc Additional Sessions Judge, IV, Kishanganj, by which the Criminal Revision No. 150 of 2011 has been dismissed conforming the order, dated 23.02.2011, passed by the Subdivisional Judicial Magistrate, Kishanganj, by which he has dismissed the complaint under Section 203 of the Criminal Procedure Code with regard to offence under Sections 411, 417, 420, 465, 467, 468, 506 and 120B of the Penal Code.

The prosecution case is that the com has kept a cheque with his signature and the cheque was theft away and the amount put in and, thereafter, money was withdrawn.

The trial Court has taken into consideration the allegation that it is quite absurd that a person will keep the cheque with his signature and inform the bank after 2½ months of the occurrence, hence, dismissed the complaint case.

The criminal revision was preferred before the Sessions Judge, Kishanganj, which has also been dismissed.

I do not find any merit to interfere with the order.

This petition is **dismissed**.

(Gopal Prasad, J)

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