

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3951 of 2016

Arising Out of PS.Case No. -35 Year- 2014 Thana -KHAZANIHAT District- PURNIA

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1. Abhishek Gunjan @ Abhishak Gunjan son of Late Chandra Bhushan Prasad.
 2. Amit Kumar @ Amit son of Sri Vivekanand Yadav.
 3. Vikash Kumar @ Vikash son of Suresh Prasad Rai.

.... Petitioner/s

Versus

The State of Bihar Through Vigilance

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhirendra Kumar Sinha

For the Opposite Party/s : Mr. Ramakant Sharma(L.O.,I/C Vig.)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-02-2016 The present application has been filed for quashing the order dated 17.12.2015 passed in K.Hat P.S. Case No. 35 of 2014 by learned Special Judge-II, Patna whereby the process has been directed to be issued after cognizance being taken for the offences punishable under Sections 420, 467, 468, 471 and 120B/34 of the IPC and Sections 7,8,9,10 and 13(2) of the Prevention of Corruption Act.

It is submitted by learned counsel for the petitioner that thrust of accusation is against Sanjay when name of the petitioner sprang up on the confession of Sanjay. The petitioner is not the employee of transport corporation. This is not in dispute that on conclusion of investigation, the petitioner has been chargesheeted and after going through the materials collected during

investigation the impugned order has been passed.

At the time of taking cognizance, learned Magistrate has only to see the prima facie case.

In the circumstance, this Court is not inclined to interfere.

Accordingly, the application is disposed of with liberty to the petitioner to raise all the contentions at the time of framing of charge.

(Dinesh Kumar Singh, J)

Amrendra/-

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