

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37338 of 2016

Arising Out of PS.Case No. -139 Year- 2014 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

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1. Ajay Kumar Azad, son of Binda Prasad Singh, resident of Village Balba, P.S. Fatuha, District Patna
 2. Ganga Vishnu, son of Ram Naresh Prasad, resident of Village Dhaniya Bagicha, P.S. Delha, District Gaya

.... Petitioner/s

Versus

1. State of Bihar
2. The Block Development Officer, Noorsarai, District Nalanda, Biharsharif

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, sr. Advocate.
Mr. Sanjeet Kumar
For the State : Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 05-10-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

This application has been filed for quashing the order dated 16.12.2015 passed by the Sub Divisional Judicial Magistrate, Noorsarai in Noorsarai P.S. Case No.139 of 2014 by which he has taken cognizance against the petitioners under Sections 409, 420 and 120B of the Indian Penal Code.

Allegation has been made that Manrega work has not been done properly and there is misappropriation of Government fund.

Learned counsel for the petitioners submits that petitioner no.1 was working on the post of Junior Engineer and petitioner no.2 was working on the post of Panchayat Technical Assistant and their role were limited to the extent to execute or carried out the plan on the direction of their superior officers.

This Court is not inclined to examine the matter meticulously. This Court does not find any merit in this application. It is accordingly dismissed. However, petitioners will be at liberty to raise all points before the court below at the appropriate stage.

(Shivaji Pandey, J)

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