

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24204 of 2016

Arising Out of PS.Case No. -329 Year- 2014 Thana -FALKA District- KATI HAR

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Nakul Prasad S/o late Ram Sharan singh R/o Village-Sahbajpur PS
Jehanabad, District Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagnnath Singh

For the Opposite Party/s : Mr. Jitendra Kumar Roy-I(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 24-06-2016

The present application has been filed for
quashing the F.I.R. of Falka P.S. Case No. 329 of 2014 registered
for the offences under Sections 409 and 420/34 of the Indian Penal
Code.

The accusation is of embezzlement of the
amount in the paddy procurement scheme.

It is submitted by learned counsel for the
petitioner that the thrust of accusation is against Rajiv Kumar
Ambashta who accepted that he will deposit the alleged amount
but he failed to deposit. This fact also gets reflected from the
accusation levelled in the FIR.

It is settled that quashing of the F.I.R. can be
made only when the accusation does not constitute prima facie

case or prosecution is barred under the law. Hence, this Court is not inclined to interfere.

Accordingly, this application is disposed of with liberty to the petitioner to raise all the contentions at appropriate stage of the proceeding.

(Dinesh Kumar Singh, J)

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