

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30217 of 2016

Arising Out of PS.Case No. -444 Year- 2008 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

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Mukul Kumar son of Late Naresh Singh, rResident of village- Dumra, P.S.-
Barahaiya, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Umesh Prasad Singh son of Sri Yugal Kishore Singh, resident of village-
Keshawe, P.S.- Barauni, District - Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate
For the State : Mrs. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 29-08-2017

This application under Section 482 of the Code of Criminal Procedure (for short 'the CrPC') has been filed for quashing the order dated 28.04.2016 passed by the learned Additional Chief Judicial Magistrate-1, Begusarai in Complaint Case No.444C of 2008 lodged under Sections 406, 420 and 120B of the Indian Penal Code whereby the application filed on behalf of the petitioner under Section 245 CrPC seeking discharge has been rejected.

2. From perusal of the deposition of the witnesses examined on behalf of the complainant under Section 244 of the CrPC, it would be manifest that no question was put on behalf of the defence in cross-examination to any of the witnesses. It would also be manifest that all



the witnesses examined on behalf of the complainant have consistently stated that the petitioner, who was an employee of the complainant, collected rupees one lakh eighty seven thousand from market and instead of depositing the same with the complainant, fled away with the amount.

3. In that view of the matter, it can not be said that there is no material against the petitioner to put him on trial.

4. Accordingly, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
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