

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30779 of 2014**

Arising Out of PS.Case No. -164 Year- 2013 Thana -DARBHANGA SADAR District-  
DARBHANGA

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Binod Prasad Roy @ Binod Pd. Ray Son of Late Nathuni Rai Resident of  
village- Kapchhahi, P.S.- Bahadurpur (Sonaki), District- Darbhanga

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Gajendra Prasad Yadav, Advocate

For the Opposite Party/s : Mr. Najir Ansari (App)

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**

**ORAL ORDER**

**3      26-07-2017**

The instant petition has been filed for quashing the order dated 23.10.2016/25.11.2013 passed by the learned Chief Judicial Magistrate, Darbhanga in Sadar P.S. Case No. 165 of 2013 whereby learned court below has taken cognizance under Section 7 of the Essential Commodities Act.

Perusal of the order taking cognizance as also the FIR (Annexure 1) shows that there is sufficient material for the Court below to arrive at the *prima facie* conclusion regarding taking cognizance in the instant case.

In view of the aforesaid, no case for interference under Section 482 Cr.P.C is made out.

Accordingly, the case is dismissed.

**(Madhuresh Prasad, J)**

Prakash/-

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