

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49772 of 2014

Arising Out of PS.Case No. -124 Year- 2011 Thana -BASOPATTI District- MADHUBANI

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Bishwa Nath Bhagat, Son of Mahavir Bhagat, resident of Utara, P.S. Saharghat,
District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Jay Nandan, A.S.I. Benipatti, P.S. and District - Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.

For the Opposite Party no.1 : Mr. J.N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 16-10-2017

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner has once tested the order taking cognizance
by filing a revision application before the learned Sessions Judge,
Madhubani, but after he failed in the said revision application, has
invoked the provisions under Section 482 Cr.P.C. to file the present
application.

Learned counsel for the petitioner assails the impugned
order on the ground that the name of this petitioner has been
implicated only on suspicion.

This Court has perused the records and is of the
considered opinion that at this stage of taking cognizance it is not



required to be looked into as to whether the case against the petitioner is fully proved or not. A mere suspicion giving rise to a prima facie case would be sufficient. No interference is called for.

The application is dismissed.

Petitioner is at liberty to raise all such pleas which are available to him at the appropriate stage.

(Rajeev Ranjan Prasad, J)

Arvind/-

AFR/NAFR	
CAV DATE	
Uploading Date	17.10.2017
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