

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2052 of 2014

Arising Out of PS.Case No. -300 Year- 2013 Thana -GANDHIMAIDAN District- PATNA

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Arjun Kumar @ Arjun Ojha S/O Bhairo Nand Ojha R/O Kawaria, P.S-
Bhagwanpur, District- Siwan.

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Dikshit, Adv.

For the Opposite Party/s : Mr. Mustaq Alam, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL JUDGMENT

Date: 04-07-2017

Heard both sides.

2. The petitioner filed this petition for quashing the order dated 21.10.2013 passed by the Judicial Magistrate, Patna in Gandhi Maidan P.S. Case No. 300/2013 corresponding to G.R. No. 4280/2013 by which after submission of charge-sheet, the Judicial Magistrate, Patna took cognizance under Sections 420, 467, 468, 471, 120B and 34 of the Indian Penal Code against the petitioner.

3. The informant Sub-Inspector of Gandhi Maidan P.S. alleged that some persons had opened a N.G.O. namely, Krishi & Laghu Kalyan at IIIrd floor of Ashiana Galaxy, Exhibition Road and they were cheating the innocent people on the pretext of providing job, on such raid was conducted. The petitioner and others were



apprehended and many articles were recovered. The Police after investigation submitted final form finding the case true against the petitioner and others. Learned Judicial Magistrate, Patna on perusal of the records took cognizance under Sections 420 and other sections of the Indian Penal Code vide order dated 21.10.2013.

4. Learned counsel for the petitioner submits that there is no material to proceed against the petitioner. The petitioner himself is a victim of the crime, but from perusal of the case-diary, it appears that petitioner was apprehended on the spot and many articles were recovered from the possession of the petitioner. The police collected different materials to show that the petitioner were cheating different persons by forging document in order to provide job and on such the Judicial Magistrate took cognizance.

5. Considering the facts aforesaid, I do not find any illegality in the order taking cognizance. Accordingly, this quashing petition is dismissed as devoid of any merit.

(Prabhat Kumar Jha, J.)

Vinita/-

AFR/NAFR	NAFR
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