

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49979 of 2014

Arising Out of PS.Case No. -165 Year- 2011 Thana -MALSALAMI District- PATNA

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Bechan Sao Son of Hari Lal Resident of Bundel Toli, P.S.-Malsalami, Dist.-
Patna

.... Petitioner

Versus

1. State of Bihar
2. Shardanand Ram Son of Sri Rajdev R Marketing Officedr (Rationing
Patna, Ward No. 70, P.S. Ma), Dist.-Patna

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Advocate

For the Opposite Party/s : Mr. Kr.Virendra Narayan(APP)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 15-11-2017

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is seeking quashing of the order dated 22.10.2014 passed by learned S.D.J.M., Patna City in connection with Malsalami P.S. Case No. 165/2011 under Sections 420/120(B) of the Indian Penal Code and Section 7 of the E.C. Act.

On the face of allegations and the First Information Report specifically saying that the *Thela* on which the blue kerosene oil were found had the name and license number of this petitioner attached.

In my view, a *prima facie* case has rightly been found by the learned Magistrate. There is no illegality or



infirmity in the impugned order.

Accordingly, this application is dismissed.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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