

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43605 of 2013

Arising Out of PS.Case No. -240 Year- 2013 Thana -BUXAR District- BUXAR

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Ravi Ranjan Singh @ Ravi Singh @ Ravi Kumar Yadav S/o Tuluk Rai
Singh Resident of Village Mathiya Mohalla, Ward No. 14, Police Station-
Buxar Town, District Buxar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Dr.Indiwar Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

7 30-06-2017 Heard learned counsel for the petitioner and the
learned APP appearing on behalf of the State.

The petitioner has challenged the order of cognizance dated 01.08.2013, passed by learned Chief Judicial Magistrate, Buxar in Buxar (Town) P.S. Case No.240 of 2013. Cognizance is taken under Sections 379 and 411 of the Indian Penal Code.

Learned counsel for the petitioner submits that the First Information Report is against unknown. There is no material against the petitioner except disclosure of his name by another co-accused Rakesh Kumar Rai in his confessional statement. However, the stolen motorcycle was recovered from another accused Arvind Kumar Singh and one stolen motorcycle from Rakesh Kumar Rai. The police submitted final form against the



petitioner.

The learned APP also submits that the name of this petitioner came in confessional statement of another co-accused as one of his associates but the recovery was made from Arvind Kumar Singh.

Considering the materials on record, this Court does not find it proper to set aside the order of cognizance dated 01.08.2013, passed by learned Chief Judicial Magistrate, Buxar in Buxar (Town) P.S. Case No.240 of 2013 (G.R. No.1245 of 2013).

Accordingly this petition is dismissed with liberty to the petitioner to raise these points at the time of framing of charge.

(Arun Kumar, J.)

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