

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46639 of 2013

Arising Out of PS.Case No. -null Year- null Thana -null District-
BHAGALPUR

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Ram Bilash Das S/O Late Bhutto Das Resident Of Village-
Navatoliya, P.O.- Saraiya, P.S.- Chautham, District- Khagariya,
At Present Posted As The Block Development Officer, Puraini
Block, District- Madhepura

.... Petitioner

Versus

1. The State Of Bihar
2. The Officer-In-Charge of Sultanganj Police Station, District-
Bhagalpur

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anant Kumar-1, Advocate

For the Opposite Party/s : Mr. Rajendra Pd. Nat, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT

Date: 26-07-2017

Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

Earlier, vide order dated 09.12.2013, this
Court had called for a copy of the case diary, the same
has been received.

Learned counsel for the petitioner
challenged the order taking cognizance dated
03.09.2013 passed by learned Chief Judicial
Magistrate, Bhagalpur in Sultanganj P.S. Case No.
22/2011, G.R. No. 303/2011. Learned counsel for the
petitioner submits that in fact the present petitioner



was the informant of this case and in course of investigation his name has been dragged without there being any material against him. Further submission is that there is no role of this petitioner being Block Development Officer in the matter of disbursement of the diesel grants, and therefore, the charge-sheet submitted against the petitioner itself was bad.

Learned Additional Public Prosecutor opposed the application pointing out that in course of investigation this petitioner was examined and it is this petitioner who disclosed the whole procedure which is adopted for the purposes of distribution of the grants. It is his statement recorded in the case diary which shows that the cheque covering the amount of grant is issued by order of this petitioner.

In view of the materials appearing in the case diary, this Court is not inclined to interfere with the order taking cognizance. This application is, therefore, dismissed.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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