

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31106 of 2014

Arising Out of PS.Case No. -210 Year- 2013 Thana -RAMNAGAR District- WESTCHAMPARAN
BETTIAH)

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Raj Kapoor Yadav, Son of Mahanth Yadav, Resident of village- Babhani deuliya,
Police Station- Ramnagar, District- West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL JUDGMENT

Date: 03-07-2017

Heard learned counsel for the petitioner.

The petitioner is challenging order taking cognizance dated 10.06.2014 passed by the Additional Chief Judicial Magistrate, Bagaha, West Champaran in connection with Ramnagar P.S.Case No. 210 of 2013 (Trial No. 2776 of 2014) under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the allegation levelled against the petitioner is false and fabricated because earlier the petitioner had filed a petition before the D.C.L.R., Bagaha stating that the Karmchari of the office is demanding Rs. 10,000/- for mutation purposes. It is submitted that Peepal tree was not standing on the Government land rather standing in the purchased land of the petitioner, so it was sold by the petitioner.



However, the allegation in the FIR against the petitioner is that a *Peepal* tree standing on the Government land fell down due to heavy storm and the petitioner sold the tree in Rs. 36,000/-. It appears that police after investigation found the case true and submitted charge sheet. Moreover, petition addressed to the D.C.L.R. by the petitioner even does not show any receipt by any of the authorities of the office of the D.C.L.R. So finding no ground for interference with the cognizance order, this petition is dismissed.

(Arun Kumar, J)

Sujit/-

AFR/NAFR	NAFR
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