

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17433 of 2014

Arising Out of PS.Case No. -397 Year- 2009 Thana -TAJPUR District- SAMASTIPUR

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1. Mukesh Kumar S/o Tarkeshwar Pandit Resident of Village- Fatehpur, P.S.-
Musrigharari, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate.

For the Opposite Party/s : Mr. Ashok Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 26-07-2017

Heard learned counsel for the petitioner and the

State.

The petitioner has challenged the order dated 20-07-2011 passed by the learned Chief Judicial Magistrate, Samastipur in Tajpur (Bangara) P.S. Case No. 397 of 2009 by which and whereunder, the learned Magistrate took cognizance against the petitioner for the offence under Sections-420, 467, 468, 471 of the Indian Penal Code showing the accused persons as absconder.

From the impugned order itself, it appears that charge sheet has been submitted against the petitioner showing him absconder. Thereafter, the learned Magistrate has taken cognizance for the offence under Sections-420, 467, 468, 471 of the Indian Penal Code



against the petitioner on the basis of allegations in the FIR and the materials available in the case diary and the charge sheet submitted by the police.

Therefore, this court feels that the instant criminal miscellaneous petition filed by the petitioner to quash the proceeding is only to delay the trial of the case in the court below. The petitioner has not appeared during investigation. The police has filed charge sheet showing the petitioner as absconder and thereafter, cognizance has been taken.

Therefore, this court does not find any illegality in the impugned order. Accordingly, this Cr. Misc. Application is dismissed.

The learned trial court is directed to expedite and proceed in the trial in accordance with law.

(Sanjay Priya, J)

A.K.V./-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	31-7-17
Transmission Date	31-7-17

