

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57681 of 2017

Arising Out of PS.Case No. -201 Year- 2017 Thana -GOPALGANJ TOWN District- GOPALGANJ

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Shiv Narayan Baitha S/o Late Chandra Bali Baitha resident of village - Belwa Mishra, P.S. - Bhorey, District - Gopalganj, at present resident of village - Banjari Brahm Asthan, P.S. - Gopalganj, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Programme Officer, Gopalganj, District - Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocates
For the State : Mr. Subhash Chandra Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 02-08-2018

Heard learned counsel for the petitioner and learned counsel
for State.

2. This application under Section 482 of the Code of Criminal Procedure (for short 'the Cr.P.C.') has been filed by the petitioner for quashing the First Information Report (for short 'the F.I.R.') of Gopalganj Town P.S. Case No.201 of 2017 registered for the offences punishable under Sections 406 and 409 of the Indian Penal Code (for short 'the I.P.C.').

3. I have perused the F.I.R as contained in Annexure-1 to the instant application. The allegations made therein do attract ingredients of a cognizable offence.

4. In that view of the matter, I see no reason to quash the



F.I.R. at this stage. The various defence taken by the petitioner in support of his innocence can be looked into by the police during investigation or by the court at appropriate stage/stages after the report is submitted by the investigating officer of the case before the court under Section 173(2) of the Cr.P.C.

5. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	
Transmission Date	

