

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37457 of 2017

Arising Out of PS.Case No. -123 Year- 2008 Thana -SALKHUA District- SAHARSA

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Shayamnand Choudhary @ Shyama Nandan Choudhary, S/o Late
Bishnukant Choudhary, R/o Village Raje, P.S. Manigachi, District-
Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sarup Lal Yadav, S/o Late Dukhi Yadav, Vill.- Bhelwa, P.S. Salkua,
Dist.- Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 28-03-2018 Despite repeated calls, no body appears on behalf of the
petitioner to press the application.

Perused the application filed under Section 482 of the
Code of Criminal Procedure for quashing the order dated 5th/6th
July, 2015 passed by the learned Chief Judicial Magistrate,
Saharsa in Salkhua P.S.Case No. 123 of 2008 whereby cognizance
of the offences under Sections 467, 468, 471, 420 and 120-B of
the Indian Penal Code has been taken.

The First Information Report, as contained in
Annexure-1 to this petition, is based on a complaint, which was
referred to the police for investigation under Section 156(3) of the
Cr.P.C. The allegations made therein do attract the ingredients of



the cognizable offence. The police conducted investigation of the case and found the allegations to be true and submitted charge-sheet, vide Charge-Sheet No. 276/14 dated 21.12.2014, whereafter the learned Magistrate took cognizance of the offences vide impugned order dated 5th/6th July, 2015.

In my considered opinion, no fault can be found with the order impugned. Moreover, it is not known as to the stage of the case after the impugned order was passed about three years back.

In that view of the matter, I see no reason to interfere with the order impugned. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J)

Pradeep/-

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