

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35823 of 2014

Arising Out of PS.Case No. -535 Year- 2013 Thana -BETTIAH
TOWN District- WESTCHAMPARAN(BETTIAH)

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Vijay Kumar Son of Banka Mahto Viyogi, Resident of Village - Mamarkha,
P.S. - Malahi, District - East Champaran, presently resident of Bettiah, West
Champaran Petitioner

Versus

1. The State of Bihar and
2. Shamim Akhtar s/o Late Md. Shati resident of village Mahawat toil, s
Nagar Bettiah, District west Champaran Opposite Party

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Appearance :

For the Petitioner : Mr. Anand Kishore Choudhary, Advocate
For the State : Pushpa Sinha 2, Advocate
For the opp. party no.2 : Mr. Arbind Kumar Sinha, Advocate &
Mr. M. Alam, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 21-03-2018 Heard learned counsel for the petitioner, the State as
well as learned counsel appearing for the opposite party no.2.

Instant application has been filed for quashing of the
FIR of Bettiah Town Police Station Case No. 535 of 2013 dated
19.8.2013, for offence under sections 406 and 420 of the IPC.

Report of the Chief Judicial Magistrate, West
Champaran dated 8.1.2018 is on record at flag X. It has been
reported that on 21.8.2017 charge sheet has been submitted in
this case and cognizance of the offence has been taken under
order dated 28.10.2017.

In view of the aforesaid development, this application is
dismissed.

Petitioner would be at liberty to assail the order taking
cognizance in a separate proceeding.

(Madhuresh Prasad, J)

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