

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49748 of 2017

Arising Out of PS.Case No. -162 Year- 2006 Thana -SIKANDARA District- JAMUI

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1. UMESH PRASAD SINGH @ UMESH SINGH, son of late Shivkeshwar Singh,
resident of village- Baramba, Police Station- Sikandra, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Achal Kumar Sinha, Advocate

For the Opposite Party/s: Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 31-07-2018

This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 25.12.2009/15.02.2010 passed by the Chief Judicial Magistrate, Jamui, in Sikandra P.S. Case No.162 of 2006 by which the learned Magistrate has taken cognizance against the petitioners for the offence under Section(s) 353, 323, 504, 427/34.

Counsel for the petitioner submits that in the instant case after cognizance compromise has taken place between the parties. The petitioner had no knowledge about issuance of bailable and non-bailable warrant of arrest against him. The Court below has issued permanent warrant of arrest against the petitioner after declaring him absconder by order dated 20.06.2017.



Allegation against the petitioner in the written report is that while the informant was posted as I/c Headmaster in Baharmba Middle School, this petitioner entered into the office, abused the informant, damaged the record and assaulted him. It is also alleged that the petitioner snatched amount of the school and demanded *Rangdari*. Students and teacher came on *halla* from class room and saved the informant.

The police after investigation has submitted charge-sheet against the petitioner for the offence under Section(s) 353, 323, 504, 427/34 Indian Penal Code. The Court below by impugned order has taken cognizance against the petitioner under aforesaid sections.

It further appears that petitioner has already been declared absconder by order dated 20.06.2017 and permanent warrant of arrest has been issued against him.

In such circumstances, this Court is not inclined to interfere with the impugned order.

This application is, accordingly, **dismissed**.

(Sanjay Priya, J)

J.Alam/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	10-08-2018
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