

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5456 of 2016

Arising Out of PS.Case No. -90 Year- 2013 Thana -AIRPORT District- PATNA

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1. Rajeev Ranjan Mirdul @ Rajeev Ranjan, son of Satyendra Chaubey, resident of
Village - Basantpur, P.S. - Chenari, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. A. Tripathy, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 18-09-2018

This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 24.02.2014 passed by the Judicial Magistrate, 1st class, Patna, in Hawayee Adda P.S. Case No.90 of 2013 by which the learned Magistrate has taken cognizance against the petitioner for the offence under Section(s) 366, 379, 386, 498 Indian Penal Code.

Counsel for the petitioner submits that he is not named in the First Information Report. His name has come during investigation in the supplementary case diary.

Learned Magistrate has mentioned in the impugned order that police has submitted charge-sheet against this petitioner and other accused persons. Learned Magistrate after looking into the materials in the case dairy has found *prima facie* case against



the petitioner and others.

Learned Magistrate is only required to see *prima facie* case at the time of taking cognizance.

This Court does not find any illegality in the impugned order passed by the Court below.

This application is, accordingly, dismissed.

The petitioner is given liberty to raise all the points, as raised in the present application, at the time of framing of Charge, which shall be considered and disposed off by the learned Court below in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

J.Alam/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	20-09-2018
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