

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2248 of 2016

Arising Out of PS.Case No. -202 Year- 2012 Thana -AJAMNAGAR District- KATIHAR

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Kumar Bambam, the then Office Assistant, State Food Corporation, S/o Jitendra Prasad Mandal, resident of Mohalla- Chhitabari, P.S.- Katihar, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar
2. S.K. Tripathi, son of late G.N. Tripathi, D-3 Officers, District Supply Officer-cum-District Manager, State Food Corporation, Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 13-09-2018

This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 09.02.2015 passed by the Chief Judicial Magistrate, Katihar, in Azam Nagar P.S. Case No.202 of 2012 by which the learned Magistrate has taken cognizance against the petitioner for the offence under Section(s) 406, 409, 420/34 Indian Penal Code.

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

Case diary has been received.

Petitioner is named in the First Information Report. The police after investigation has submitted charge-sheet against the



petitioner and others.

The Court below after looking into allegation in the written report as well as the materials available in the case diary has taken cognizance against the petitioner along with other accused persons for the offence under Section(s) 406, 409, 420/34 Indian Penal Code.

Therefore, this Court does not find any illegality in the impugned order.

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	15-09-2018
Transmission Date	15-09-2018

