

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12487 of 2015

Arising Out of PS. Case No.-271 Year-2003 Thana- SHRIKRISHNAPURI District- Patna

Jitendra Kumar Singh, Son of Late Ram Bharosa Singh, Resident of A/112,
Housing Colony, Kankarbagh, P.S. Kankarbagh, District - Patna.

... .. Petitioner/s

Versus

1. State of Bihar.
2. Arvind Kumar, Son of Not Known, presently posted as Principle CIT-2,
Central Revenue Building, Birchand Patel Marg, Patna-800001, District
Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Siddhartha Prasad
For the Opposite Party/s	:	Mr. Ram Sumiran Raiapp

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT

Date : 14-05-2019

Heard the parties.

2. This petition has been filed under Section 482 of Cr.P.C. for quashing order dated 08.09.2014 passed by learned Additional Session Judge-VI, Patna by which Criminal Revision Application being Cr. Revision No. 31 of 2005 was dismissed which was filed against the order dated 14.10.2004 taking cognizance against petitioner under Section 363/34 of I.P.C. by learned C.J.M., Patna arising out of S.K. Puri P.S. Case No. 271/2003.

3. Informant had lodged an FIR in the S.K. Puri Police Station on 19.12.2003 that his son has been kidnapped by



two accused on a scooter, however, on protest being made by the public they left and tried to flee away but one accused was caught by the public who disclosed his name as Jitendra Kumar Singh (petitioner) and thereafter he was handed over to the police.

4. After investigation police found the case to be true and submitted charge sheet against petitioner. After consideration the materials available on record against the petitioner, the trial court found prima facie case to be made out against petitioner under Section 363/34 of I.P.C. and took cognizance of the offence by order dated 14.10.2004 which was challenged by the petitioner in the court of Session Judge, Patna giving rise to Criminal revision No. 31 of 2005, however, same was dismissed by Additional Session Judge-VI, Patna by order dated 08.09.2014 against which petitioner has filed present quashing application.

5. The trial court has considered the FIR and the case diary and materials available on record and found that a prima facie case is made out against petitioner and thereafter trial court took cognizance under Section 363/34 of I.P.C. by order dated 14.10.2004 which was challenged by the petitioner before the revisional court and after due consideration of material available



on record, the revisional court did not found any illegality or error in the order taking cognizance against petitioner.

6. After hearing the counsel for the petitioner and the State and perusing the order passed by the trial court as well as revisional court, this Court does not find any error in the order dated 08.09.2014 passed by learned Additional Session Judge-VI, Patna and accordingly present petition under Section 482 of Cr.P.C. is dismissed.

(S. Kumar, J)

veena/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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