

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6812 of 2020

Arising Out of PS. Case No.-85 Year-2015 Thana- BARSOI District- Katihar

Manager Ram Son of Tulsi Ram Resident of Village- Rampurwa Chapariya Tola, P.S.- Mainatand, District- West Champaran and the then Junior Engineer, Public Health Engineering Department, Section Barsoi, District- Katihar, at present posted in Public Health Devision, Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nirbhay Prashant, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 31-01-2020 Heard learned counsel for the petitioner and learned
counsel appearing for the State.

This is an application for quashing of the order of cognizance dated 09.07.2018 passed by learned ACJM-I, Katihar in G.R.No.1257 of 2015 arising out of Barsoi P.S.Case No.85 of 2015 whereby and whereunder the learned court below has taken cognizance of the offence against the petitioner, who is a public servant for the offences under Sections 420, 409, 468, 471 and 120-B of the Indian Penal Code.

The petitioner seeks challenge the order of cognizance and has advanced his submission at length. However, this Court does not feel inclined to interfere in the order of cognizance especially in view of the fact that it reveals to the defalcation of huge amount of public money.



It appears that a report was submitted after due enquiry and the petitioner was issued a show cause notices which remained unanswered.

Counsel for the petitioner submits that the petitioner is a public servant and he was not authorized to issue any cheque or even submitted any completion report and therefore, he has no role to play.

Be that as it may, the Court is not inclined to interfere in the impugned order. Accordingly, this application is dismissed with liberty to the petitioner to raise all issues before the court below at the time of discharge, if so, advised.

(Anjana Mishra, J)

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