

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.11 of 2017

Arising Out of PS. Case No.-193 Year-2016 Thana- BAUNSI District- Banka

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Anant Chandra Nandi Son of Late Jagdish Chandra Nandi Resident of village- Gangati, P.O. Vijay Hat, Police Station- Ghoraiya, District- Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar through Director General , Bihar Police having its Office at Old Secretariat, Patna (Bihar).
2. The Deputy Director General Of Police , Bhagalpur.
3. The Superintendent of Police, Banka
4. The Deputy Development Commissioner, Banka
5. The Block Development Officer , Bausi, District- Banka
6. The Officer Incharge , Bausi, District- Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan, Adv
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 09-01-2020

Heard learned counsel for the parties.

2. The petitioner in this application under Article 226 and 227 of the Constitution of India has sought for quashment of FIR of Bausi P.S.Case No.193 of 2016 registered under Sections 406 and 409 I.P.C. on the ground that FIR discloses commission of no cognizable offence.

3. According to FIR, the petitioner was contractor of Govt. Scheme No.07/2009-10. The scheme was for construction of concrete drainage at the cost of Rs. 1,19,050/-. The petitioner withdrew entire money, however, done work of Rs.1,17,714/- only.



Allegation of defalcation is of approximately Rs. 20,000/-. The case is under investigation. On perusal of the allegation in FIR, it cannot be argued that no cognizable offence is disclosed therein. Correctness and trustworthiness of the allegation can be looked into after investigation of the case at the appropriate stage only.

4. Hence, this application is dismissed as devoid of any merit.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.01.2020
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