

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85006 of 2019**

Arising Out of PS. Case No.-106 Year-2018 Thana- JAHANABAD District- Jehanabad

Ranjit Kumar, Son of Satyendra Mistri, Resident of Village - Pinjaur, Paras
Bihga, P.S.- Paras Bihga, Distt - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.
For the Opposite Party/s : Mr.Ahmad Ali (APP)

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT**

Date : 06-02-2020

Heard both the parties.

This application has been filed for quashing the order dated 14.05.2019 passed by learned C.J.M., Jehanabad in Jehanabad P.S. Case No. 106 of 2018 by which the learned court below has taken cognizance of the offence under sections 419, 420, 467, 468, 474 of the Indian Penal Code, section 66 (B) (C) of I.T. Act and section 3/10 of Bihar Examination Conduct Act.

Informant is the Examination Superintendent who in his written complaint addressed to officer-in-charge, P.S. Jehanabad has alleged that on the examination center petitioner, who was also examinee, was apprehended while entering the



examination center with mobile and blue-tooth and on basis of said written complaint, F.I.R. was instituted against the petitioner under sections 467, 468, 474, 420, 419 of the Indian Penal Code, section 66 of (B)(C) I.T. Act and section 3/10 of Bihar Examination Conduct Act and after investigation the police found case to be true and submitted chargesheet against the petitioner upon which the learned court took cognizance against the petitioner and issued summons for his appearance to face the trial.

At the time of taking cognizance, the court was prima facie satisfied that there are materials against the petitioner to proceed further in the case.

The meticulous examination of the materials in evidence collected during investigation cannot be a subject matter of scrutiny at the time of taking cognizance, as, such I do not find any error or infirmity in the order taking cognizance by the court below accordingly this criminal miscellaneous petition is dismissed.

However, the petitioner will be at liberty to raise all the issues raised before this Court as well as other points available to him in accordance with law at subsequent stage i.e. at the time of framing of charge.



Subject to the aforesaid observation and liberty,
this application is disposed of.

(S. Kumar, J)

Rajiv/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

