

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 10932 of 2021**

Arising Out of PS. Case No.-195 Year-2019 Thana- MAKHDUMPUR District- Jehanabad

AMRESH KUMAR Son of Ganaruri Prasad @ Ganauri Mahto Resident of Village- Masurchak, P.O.- Surangapur, P.S.- Jehanabad (Kalpa), District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarvesh Kumar Singh Son of Sri Chandrika Singh Resident of Village- Chilkipure, P.O. Mae- Farida, District- Nalanda at present Deputy Superintendent of Police, Vigilance Investigation Bureau, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Rakesh Kumar, Advocate
For the Opposite Party/s : Ms Sangeeta Sharma, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 28-04-2022 Heard learned counsel for the parties.

Petitioner seeks quashing of the order dated 07.12.2019 whereby the Court of learned Sub Divisional Judicial Magistrate has taken cognizance of the offence under Sections 420, 467, 468, 471, 120B of Indian Penal Code against the petitioner in Makhdumpur Police Station Case No 195 of 2019, Trial No 3067 of 2019.

The learned counsel for the petitioner submits that he has not created any forged document and in fact, he has become the victim of circumstance. Having worked for more than two years, he has himself resigned and for the period he discharged



duties, he had not taken any monetary benefit from the Government.

Under such circumstances, it is submitted that the petitioner is unnecessarily suffering the rigours of criminal prosecution.

Learned counsel for the petitioner, being faced with the limited scope of jurisdiction of this Court under Section 482 of Criminal Procedure Code for quashing of order taking cognizance, submits that he would be raising the issue at its appropriate stage.

In view of such submission, with liberty as aforesaid, matter is disposed of.

(Madhuresh Prasad, J)

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