

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54145 of 2021

Arising Out of PS. Case No.-5 Year-2009 Thana- DIGHA District- Patna

GIRJANAND PASWAN @ GIRJA PASWAN S/o Late Lal Kishun Paswan
R/o village- Khajpura, P.S.- Hawaii Adda, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Munna Kumar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-04-2022 Heard learned counsel for the parties.

The petitioner has challenged the order dated 17.03.2020 passed by the learned Additional District & Sessions Judge -IV, Patna in Criminal Revision No. 4467/2014/CIS No. 4467/2014 by which the revision petition was preferred by him was rejected with reasoned order.

The case arises out of Digha P.S. Case No. 05/09 (G.R. No. 132/2009) by which cognizance was taken against the petitioner under Sections 448, 379, 384 and 506/34 of the Indian Penal Code.

As per the story, the accused persons including the petitioner herein had stolen material after breaking lock of the godown and had threatened the informant to remove the hut failing which they will capture it. The police investigated the



matter and having found the charges to be true, submitted charge-sheet against all the accused persons including the petitioner herein. The learned Court below thereafter, took cognizance of the matter and summoned the accused persons.

As emanates from the order of the learned Sessions Judge, the petitioner filed anticipatory bail application and also furnished bail bond. The learned Court below finding sufficient charges against him framed charges and it is in this way that he is facing trial.

The petitioner thereafter challenged the order dated 23.07.2014 passed by the learned Judicial Magistrate 1st Class, Patna by which cognizance was taken.

Vide 17.03.2020, the learned Additional Sessions Judge -IV, Patna gave its reasoned findings that the learned Judicial Magistrate has rightly passed the impugned order taking cognizance under Sections 448, 379, 384 and 506/34 of the Indian Penal Code against the accused persons including the petitioner herein and accordingly, dismissed the revision application preferred by the petitioner which prompted him to file this application under Section 482 of the Cr.P.C.

This Court has gone through the order taking of cognizance as also the reasoned order passed by the learned



Additional District & Sessions Judge -IV, Patna, and finds no infirmity in it. The quashing application preferred by the petitioner is accordingly dismissed.

(Rajiv Roy, J)

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