

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10891 of 2021

Arising Out of PS. Case No.-35 Year-2019 Thana- DANAPUR District- Patna

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Gajendra Prasad, Son of Late Avadh Bihari Prasad Singh, Resident of House No.10, Near Shivansh Apartment, Judges Colony, Bailey Road, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Bihari Singh, Advocate

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 27-04-2022 The petitioner is seeking quashing of the order dated 26.11.2019 passed by learned Judicial Magistrate, 1st Class, Patna in Danapur P.S. Case No.35 of 2019, whereby the learned court below was inclined to take cognizance of the offence under Sections 420 and 409 of the I.P.C. and consequently the office was directed to issue the summons and fix the next date on 22.02.2020.

It is the submission of the petitioner's counsel that there is non-compliance with a letter dated 09.06.2008, bearing No.6211, while lodging the FIR against the petitioner.

The petitioner has not made any submissions with respect to the order dated 26.11.2019 passed by the learned Judicial Magistrate, First Class, whereby cognizance has been



taken of the offences under Sections 420 and 409 I.P.C., raising any legal ground for quashing of the said order. The factual assertions regarding non-compliance with the letter dated 09.06.2008 are hardly of any concern of this Court while exercising jurisdiction under Section 482 Cr.P.C. The parameters and scope of the inherent jurisdiction under Section 482 Cr.P.C. for quashing of the order taking cognizance are well established.No case has been made out on the basis of such legal or cogent submission.

The application is dismissed.

(Madhuresh Prasad, J)

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