

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27904 of 2015

Arising Out of PS. Case No.-64 Year-2014 Thana- TAJPUR District- Samastipur

Lalbabu Mahto Son of Late Ram Bilash Mahto resident of village - Suryapur
Phulwaria, P.S. Tajpur Halai O.P. , District - Samastipur Bihar

... .. Petitioner/s

Versus

1. State Of Bihar
2. Phool Babu Jha Son of Late Harischandra Jha resident of village - Suryapur
Phulwaria, P.S. Tajpur Halai O.P. , District - Samastipur Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : None.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 15-02-2023 No one appears on call.

This is an application for quashing of the order dated 22.1.2015 passed by learned Judicial Magistrate, 1st Class, Samastipur, in connection with Tajpur (Halai O.P.) P.S. Case No. 64 of 2014 corresponding to G.R. No. 629 of 2015 where cognizance has been taken under Sections 406, 420, 467, 468, 120B/34 of the Indian Penal Code.

As per the prosecution story, allegation is that this petitioner used to give tuition to the informant's son and further on assurance of giving him employment in the Indian Railways told to arrange Rs. 5 lakh. Later, the petitioner introduced the informant to Ansar ansari and thereafter the informant gave Rs.



4,50,000/- to the petitioner herein in the presence of some persons on the assurance that Rs.50,000/- will be cleared within two months.

The informant was given an appointment letter with the information that Grade IV employee job has been provided. He worked for two months at Asansol and Rs. 10,400/- was given whereafter he deposited the rest Rs. 50,000/- but later in December, 2011, he came to know that he has been duped by a group of brokers and feeling cheated, he wanted money but allegation is that this petitioner and Ansar Ansari showed him pistol and threatened that he will be killed.

Accordingly, the FIR.

From the facts that has come in the FIR as also the materials, the learned Court was fully justified in taking cognizance under Sections 406, 420, 467, 468, 120B/34 of the Indian Penal Code vide an order dated 22.1.2015.

There is no merit in the case which is accordingly dismissed.

(Rajiv Roy, J)

Ajay Singh/-

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