

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54734 of 2015

Arising Out of PS. Case No.-240 Year-2012 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Tapan Kumar Mahto S/o late Rabidas Matho R/o Benagoria ,Ps. Dhabad, District DhanbadJharkhad,
 2. Shruti Singh D/o Nagendra Singh R/o A-2, Amrapali Apartment, Near Carmel School, Jharudih, ,Ps. Dhabad, District DhanbadJharkhad,

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Md.Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-03-2023 No one appears on call.

The present petition has been preferred for quashing of the order dated 11.05.2015 passed by learned S.D.J.M. Samastipur in Samastipur Muffasil P.S. Case No. 240 of 2012 arising out of Complaint Case No. 1302/2012 whereby the cognizance has been taken under under Sections 406, 420, 467, 468, 471 and 120B of the I.P.C.

As per the prosecution story, the complainant alleged that he wanted a job for his son and through 'Prabhat Khabar', he came to know about a job in foreign country and accordingly, in the phone number, he made a contact and in the account no. provided by him paid Rs. 2,90,000/- as also cash amount of Rs. 1,43,000/-. He subsequently, received an air ticket and a visa on



e-mail on 24.07.2012 as the said date has already lapsed, he went to the ICICI branch to get the address of concerned Saurav Anand and came to know that the address is fake.

Accordingly, the complaint.

The matter was sent to the police under Sections 156 (3) of the Cr.P.C. that led to lodging of Samastipur Muffasil P.S. Case No. 240 of 2012 under Sections 406, 420, 469, 468, 471 and 120(B) of the I.P.C.

The charge-sheet was submitted by the police on 30.04.2015 whereafter cognizance was taken on 11.05.2015.

The fact remains that without verifying the address the account was opened in the ICICI branch and as such those behind it cannot escape respectively.

The petitioner will have liberty to raise all the points before the concerned Court.

However, as no appearance has been made on behalf of the petitioners, the petition stands dismissed for non prosecution.

(Rajiv Roy, J)

Ravi/-Kiran

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