

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50324 of 2015**

Arising Out of PS. Case No.-373 Year-2014 Thana- LAHERIYASARAI District- Darbhanga

Rahul Kumar @ Rahul Kumar Sinha S/o Shri Vijay Kumar Srivastav resident of Mohalla - Balbhadrapur, P.O. Laheriasarai, P.S. Laheriasarai, District - Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Guru Kumar Jaiswal, Proprietor of M/S Jaiswal Drug Agency, Mohalla - Imambari, P.O. Laheriasarai, P.S. Laheriasarai, District - Darbhanga

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : None

For the Opposite Party/s : Mr.Madhuri Lata, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      17-03-2023                      No one appears on call.

The petitioner has moved this Court for quashing of the order dated 22.05.2015 passed by learned Chief Judicial Magistrate, Darbhanga in Laheriasarai P.S. Case No.373 of 2014 under Section 406 and 408 of the Indian Penal Code.

As per the prosecution story the petitioner was employed in the Drug shop of the informant and the allegation is of taking away the sale proceed of 30-40 days to the tune of Rs.1,31,635/-. Accordingly, the FIR.

The police investigated the matter and submitted charge sheet under Section 406, and 408 of the IPC and having found sufficient materials cognizance order was passed by the learned Chief Judicial Magistrate, Darbhanga in Laheriasarai



P.S. Case No.373 of 2014 on 22.05.2012.

Direct allegation is there against the petitioner. After investigation charge sheet has been submitted and the learned Chief Judicial Magistrate accordingly has rightly taken the cognizance.

No merit in the petition.

Accordingly, the petition stands dismissed.

**(Rajiv Roy, J)**

Prakash Narayan /-

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