

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11564 of 2021

Arising Out of PS. Case No.-63 Year-2016 Thana- RUPASPUR District- Patna

DEEN BANDHU JHA Son of Kare Lal Jha Resident of House No. F - 209,
Street No.11, Khajoori Khas, Gokalpuri, P.S.- Khajoori Khas, District - North
East Delhi, Delhi - 110094

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ram Bhushan Chaudhary Son of Late Dev Narayan Chaudhary Resident of
Village - Shripur, P.S.- Kishanpur, District - Supaul, Bihar, Present address -
R.P.S. Residential School, P.S.- Rupaspur, District - Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 07-08-2023 This is an application for quashing the order taking
cognizance dated 18.07.2016 passed by learned Additional
Chief Judicial Magistrate-II Danapur in Trial No. 158/2016
arising out of Rupaspur P.S. Case No. 63/2016 by which under
Section 379 the cognizance was taken against the petitioner.

As per the prosecution case, the petitioner fled
from the examination centre at 04:15PM retaining the OMR
answer booklet after conclusion of the examination.

Learned APP for the State Mr. Jharkhandi
Upadhyay has gone through the Case Diary of the case. No
material has come in the case diary to connect the petitioner
with any crime.



From reading of the F.I.R., it appears that no offence is made out against the petitioner except the suspicion.

In these circumstances, this application is allowed and the dated 18.07.2016 passed by learned Additional Chief Judicial Magistrate-II Danapur in Trial No. 158/2016 arising out of Rupaspur P.S. Case No. 63/2016 is hereby quashed.

Let a copy of this order be communicated to the District Judge- Patna through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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