

Mohanlal Sah Vs. State of Bihar

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Court : Patna

Decided On : May-11-2012

Appellant : Mohanlal Sah

Respondent : State of Bihar

Judgement :

Patna High Court Cr.Misc. No.38582 of 2008 (4) dt.11-01-2012 IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.38582 of 2008
===== Mohanlal
Sah Petitioner/s Versus State Of Bihar Opposite Party/s
=====

Appearance : For the Petitioner/s : Dr. Amrendra Kumar not I. For the State: Mr.
Dashrath Mehta, APP

===== CORAM:
HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA ORAL ORDER
(Per: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

11. 01-2012 Heard learned counsel for the parties. This application under Section 482 of the Code of Criminal Procedure is to quash the order dated 17.7.1008 passed in G.R. case No. 638 of 2006 by the Sub-Divisional Judicial Magistrate, Bagha, rejecting the application of the accused- petitioner filed under Section 239 of the Code of Criminal Procedure for discharge. From perusal of the order dated 17.7.2008 passed by the learned S.D.J.M, Bagha, it appears that the learned Magistrate on perusal of the case diary detailing the several paragraphs of case

diary arrived at the conclusion that prima-facie, there is sufficient material for framing of charge under Section 7 of the Patna High Court Cr.Misc. No.38582 of 2008 (4) dt.11-01-2012 Essential Commodities Act. There is nothing in the impugned order to show any illegality amounting to abuse of the process of the Court. Accordingly, this application is dismissed. (Rajendra Kumar Mishra, J) Arun Kumar/-

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