

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19460 of 2015

Arising Out of PS.Case No. -100 Year- 2014 Thana -ARA MUFFSIL District- BHOJPUR

=====

1. Vishnu Shankar Tiwari
2. Bimlesh Tiwari Both Sons of Narayan Tiwari Resident of village- Basamanpur
P.S. Ara Muffasil, District Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Garju Gond S/o Late Banwari God, Resident of village- Basamanpur P.S. Ara
Muffasil, District Bhojpur

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pranav Kumar, Adv.
For the Opposite Party/s : Mr. Sadanand Paswan, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 07-05-2015

The present application under section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 22.12.2014 passed by the learned Judicial Magistrate 1st Class, Ara in Ara Muffasil P.S.Case No.100 of 2014 corresponding to T.R. No. 4808 of 2014, whereby the learned Magistrate took cognizance against the petitioners under sections 341, 323, 325, 504 read with 34 of the Indian penal Code and 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The petitioners are named in the First Information Report. The allegations made in the First Information Report do attract the ingredients for the offences alleged. The matter was

investigated by the police and on conclusion of investigation, the police have submitted charge sheet in the matter. Before passing the impugned order dated 22.12.2014, the learned Magistrate has taken into consideration the allegations made in the First Information Report, materials collected in course of investigation and the police report submitted under section 173(2) of the Code of Criminal Procedure.

Regard being had to the facts and circumstances of the case, I find no illegality in the order impugned. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J)

Pradeep/-

U		T	
---	--	---	--