

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13194 of 2013

Arising Out of PS.Case No. -27 Year- 2012 Thana -MAHILA P.S. District- SAHARSA

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1. Manoj Kumar Singh, son of Fuleshwar Prasad Singh
 2. Dilip Kumar Singh, son of Fuleshwar Prasad Singh
 3. Sanjeev Kumar Singh, son of Fuleshwar Prasad Singh
 4. Fuleshwar Prasad Singh, son of Late Gujai Singh
 5. Bachhi Devi, wife of Fuleshwar Prasad Singh

All are residents of Retauli, P.S. Pipra, District -Supaul

.... Petitioners

Versus

1. The State of Bihar
2. Reshma Kumari, wife of Prabhash Kumar Singh, daughter of Dukhi Singh
Resident of Azad Chouk, Gangala Ward No.9, Saharsa, P.S. Saharsa, District -
Saharsa

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Shailendra Kumar Singh, Advocate

For the State : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 09-07-2015

Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed for quashing the
order dated 03.12.2012 passed in Saharsa Mahila P.S. Case No.27 of
2012 by which the learned Chief Judicial Magistrate, Saharsa has
taken cognizance of offences under Sections 341, 323, 504, 498A
read with Section 34 of the Indian Penal Code and directed issuance
of process against the petitioners.

3. A perusal of the impugned order dated 03.12.2012
shows that the same has been passed with due application of mind on

the basis of charge sheet and case dairy, and after finding a prima facie case was made out against the petitioners on the basis of accusations in the FIR, cognizance has been taken.

4. Considering the above, this Court is not inclined to interfere with the impugned order at this stage. The petitioners will be at liberty to raise all points appropriately at the time of framing of charges.

5. The petition, accordingly, stands dismissed.

(Vikash Jain, J)

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