

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38960 of 2012

Arising Out of PS.Case No. -63 Year- 2011 Thana -null District- ARRARIA

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Arun Kumar Mandal S/O Bisanlal Mandal Resident Of Village- Deepnagar, Ward
No. 11, P.S.- Sikti, District- Araria

.... Petitioner/s

Versus

1. The State Of Bihar
2. Kunti Devi W/O Ram Prasad Mandal Resident Of Village- Deepnagar, Ward
No. 10, P.S.- Sikti, Distt.- Araria

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH

ORAL JUDGMENT

Date: 20-03-2015

Heard the learned counsel for the petitioner.

The petitioner has challenged the order taking cognizance
against the petitioner under Section 304 (B) of the Indian Penal Code.

The learned counsel for the petitioner has submitted that
there is no material against the petitioner which could have been basis
for taking cognizance and in fact the final form has also been
submitted finding the petitioner not involved in the offence as alleged.
On that basis, the learned counsel for the petitioner has submitted that
the order taking cognizance against the petitioner is bad in law.

After considering the facts and materials as well as
submissions, this Court is not inclined to interfere with the impugned

order.

This application is, accordingly, dismissed with liberty to the petitioner to raise all these points at the time of framing of charge.

(V. Nath, J)

Devendra/-

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