

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 15240 of 2012

Arising out of P.S. Case No. -44 Year- 2011 Thana -Sikaraul
District- BUXAR

- =====
1. Rajesh Kumar S/o Anil Kumar Singh Resident of Mohalla-
Bhikhana Pahari, P.S.- Pirbahore, District- Patna.
 2. Anthoni @ Anjani S/o Rafayal Resident of Village- Lodipur, P.S.-
Shastrinagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Janardan Das Guru S/o Late Prapannachayari Resident of
Village- Basaw Math, P.S.- Sikaraul, District- Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. U. Kumar, Adv.

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 12-02-2015

Supplementary-Affidavit filed today on behalf of
the Petitioners stating therein that the stage of the case
has not changed.

The Petitioners seek quashing of the order of
cognizance dated 10.10.2011 passed by the Chief Judicial
Magistrate, Buxar in Sikaraul P.S. Case No. 44 of 2011
on the ground that apart from alleged confessional
statement there is no material against them.

Considering that even at the stage of cognizance
the Magistrate has power to seek as to whether the
material which has transpired against the Petitioner is
sufficient to conviction, I am not inclined to interfere in
the matter.

The application is dismissed.

The Trial Court is directed to expedite the trial and for which reason the Trial Court is directed to send a list of the witnesses **fixing specific dates** for production of the witnesses along with a copy of this order, to the Superintendent of Police, Buxar, and the Superintendent of Police, Buxar is directed to ensure production of the witnesses on the date so fixed by the Trial Court so that there is no further delay in trial.

Let case diary be remitted to the Court below immediately for commitment and trial.

(Anjana Prakash, J.)

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