

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17373 of 2015

Arising Out of PS.Case No. -760 Year- 2011 Thana -BHOJPUR COMPLAINT CASE District-
BHOJPUR

- =====
1. Letafat Hussain, S/o Late Subahan Hussain.
 2. Akhtar Hussain, S/o Letafat Hussain.
 3. Jahabir Hussain, S/o Letafat Hussain.
 4. Md. Kafil.
 5. Md. Fuzail. Both Sons of Md. Jafir.
 6. Akhtari Raza, W/o Latafat Hussain. All are residents of Muhalla- Ara Khetari, P.S.- Ara Town, Dist- Bhojpur.
 7. Jahagir @ Banti, son of Md. Jamir, Jawahar Nagar, Road No.- 14, Near Sabari Masjid P.O. Azad nagar, P.S. Mango (Jamshedpur), Dist.- East Sihbhumi (Jharkhand).

.... Petitioners

Versus

1. The State of Bihar.
2. Kurban Ali S/o Late Abdul Gaffur resident of Muhalla- Ara Katira, P.S.- Ara Town, Dist.- Bhojpur.

.... Opposite Parties.

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Appearance :

For the Petitioners : Mr. Rajani Ranjan Pd. Singh, Advocate.
For the State : Mr. Pronoti Singh(App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 24-04-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

This petition under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 07.05.2012, passed by learned Judicial Magistrate, Ara, in Trial No. 4777 of 2014, arising out of Complaint Case No. 760(C) of 2011, by which the learned Magistrate finding prima facie case to be made out for the offences punishable under Sections 147, 341, 323 and

379 of the Indian Penal Code, summoned the petitioners to face trial.

The allegations made in the complaint petition do attract the ingredients of the offences under which the cognizance has been taken. The complainant in her statement on oath and the other complaint-witnessed have supported the allegations made in the complaint. On the basis of the aforesaid materials learned Magistrate has found prima facie case to be made out against the petitioners.

I find no illegality in the order impugned. Accordingly, the application is dismissed.

However, the petitioners could be at liberty to agitate all the points available to them at the stage of framing of charge.

U.K./-

(Ashwani Kumar Singh, J)

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