

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18138 of 2015

Arising Out of PS.Case No. -1262 Year- 2012 Thana -MADHEPURA COMPALINT CASE
District- MADHEPURA

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1. Awadhesh Yadav son of Late Ram Bharos Yadav
 2. Phulendra Yadav son of Late Ram Bharos Yadav
 3. Mantu Yadav @ Vibhuti Kumar son of Phulendra Yadav
All resident of village - Situaha, P.S. Salkhua, District - Saharsa
 4. Bhusan Kumar Son of Radhe Yadav, resident of village - Dwoyahi,
P.S.- Madhepura, District – Madhepura

.... Petitioner/s

Versus

1. The State of Bihar
2. Akshudeo son of Awadhesh Kumar, resident of village - Tunyahi, P.S.
Madhepura, District - Saharsa

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ataur Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 28-04-2015 This application under section 482 of the Code of Criminal Procedure (hereinafter referred to as “the Code”) has been filed for quashing the order dated 10.4.2014 passed by the learned Sub Divisional Judicial Magistrate, Madhepura whereby the learned Sub Divisional Judicial Magistrate took cognizance for the offences punishable under sections 363, 342 and 506 read with 34 of the Indian Penal Code in Complaint Case No.1262C of 2012 corresponding to Trial No.3097 of 2014.

Though the case arises out of a complaint in which the complainant was examined on solemn affirmation and apart from

the complainant three other witnesses were examined in course of enquiry but in this application neither the statement of the complainant nor of the witnesses examined under section 202 of the Code has been annexed.

In that view of the matter, I am not inclined to entertain this application on merits. Accordingly, the application is disposed of with liberty to the petitioners to file another application before this Court in the same subject matter after bringing on record all the relevant documents

(Ashwani Kumar Singh, J)

Md.S./-

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