

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48572 of 2012

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1. Pramod Mahto, son of Baidnath Mahto
2. Rajesh Mahto @ Rakesh Mahto, son of Niras Mahto
Both residents of Village - Marar, P.S. - Riga, District - Sitamarhi
..... Petitioners

Versus

1. The State of Bihar
2. Sanjay Mahto, son of Narda Mahto, resident of village - Harpur, P.S. -
Piprahi, District - Sheohar
..... Opposite Parties

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Appearance :

For the Petitioners : Mr. Virendra Kumar, Advocate
For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 23-04-2015 The present petition has been filed for quashing the order dated 28.05.2012 passed by the learned Sub-Divisional Judicial Magistrate, Sheohar taking cognizance in connection with Piprahi P.S. Case No. 97 of 2011 for the offences under Sections 498 and 380 read with Section 34 of the Indian Penal Code after differing with the final report submitted by the police.

2. It is submitted that the petitioners have been falsely implicated in the case and no offence is made against them.

3. A perusal of the impugned order dated 28.05.2012 shows that the same has been passed with due application of mind and on differing with the final form submitted by the police, 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. The petition stands dismissed.

(Vikash Jain, J)

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