

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45790 of 2012

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Raghubir Saran, Son of Ram Sanehi Saran @ Baba, Resident of Mohalla
Goshi Bazar, P.S. Goshi, District Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : None

For the State : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

3 21-05-2015

None appears on calls for the petitioner.

Perused the written report which is the basis of institution of the case as also the copy of the case diary. I also considered the impugned order dated 18.06.2012. The incident of assaulting the employees and others in the hotel is said to have been committed at the instigation or in conspiracy with one Raghuvir Saran who was a Constable in the police department. 7-8 persons who had come with *Dandas* and *Lathis* to assault the employees of the hotel were in police uniform. The case has a conspiracy angle and it is well known that conspiracies are known to be committed even from places which are far off from the place of occurrence. In that light the order does not appear suffering from any illegality. What this Court feels is that the accused persons must also be tried for an

offence under Section 120B of the Indian Penal Code. Let the charges be framed accordingly.

The petition is dismissed.

(Dharnidhar Jha, J.)

Sanjay/-

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