

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3877 of 2015

Arising Out of PS.Case No. -593 Year- 2013 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

- =====
1. Madan Rai
 2. Vipul Rai
 3. Suman Rai
 4. Ravi Shekhar Rai
 5. Munmun Rai

All 1 to 5 are S/o - Late Devendra Rai.

6. Ramawati Devi w/o -Late Binda Rai.
7. Harendra Singh
8. Pappu Singh

Petitioner No. 7 and 8 are S/o - late Janak Singh.

9. Bireshwar Singh@ Bireshwar Rai S/o - Late Ram Karan Rai.
10. Sailesh Kumar Singh S/o - Late Binda Singh

All 1 to 10 are R/o - Vill- Kotwan, P.S. - Barauli and Dist.- Gopalganj.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDEGMENT

Dated-04-12-2015

Heard learned counsel for the petitioners and learned
counsel for the State.

2. By way of the present application under
Section 482 of the Code of Criminal Procedure, the petitioners

seek quashing of the order dated 18.03.2013 passed by learned Chief Judicial Magistrate, Gopalganj in G.C. Case No. 5 of 2013, arising out of complaint case bearing No. 593 of 2013, whereby and whereunder after taking cognizance of the offence punishable under Section 353 of the Indian Penal Code, the petitioners have been summoned to face the trial.

3. The complaint case has been instituted on the basis of a written complaint filed by a judicial officer alleging therein that the petitioners used criminal force against the executive magistrate as well as the police force and the survey knowing pleader commissioner, who were deputed for compliance of the order passed by the Court on 3rd March, 2013 in Execution Case No. 4 of 2012.

4. The allegations made in the complaint do attract the ingredients of the offence punishable under Section 353 of the Indian Penal Code.

5. In that view of the matter, I do not find any merit in this case. Accordingly, this application is dismissed.

(Ashwani Kumar Singh, J.)

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