

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3779 of 2015

Arising Out of PS.Case No. -209 Year- 2012 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Moharram Mian son of Md. Alam Ansari
 2. Hafij Mian son of Md. Alam Ansari
 3. Amin Mian son of Md. Alam Ansari
 4. Hakik Mian @ Hakim Mian son of Md. Alam Ansari
 5. Md.Alam Ansari son of Late Fatte Mian
 6. Hamida Khatun wife of Md. Alam Ansari
 7. Jafrul Khatun wife of Moharram Mian
 8. Sabrun Khatun wife of Hafij Mian
 9. Jubaida Khatun wife of Amin Mian
 10. Meshrun Khatun wife of Hakim Mian @ Hakik Mian

All are resident of village - Bhawanipur, P.S-Yogapatti, District-
West Champaran, Bettiah

.... Petitioner/s

Versus

1. The State of Bihar
2. Aisha Khatun wife of Abdul Latif Ansari, daughter of Mansur Ansari, resident of Ramnagar Bankat, P.S-Majhauilya, District - West Champaran, Bettiah

.... Opposite Party/s

with

Criminal Miscellaneous No.5266 of 2015

Arising Out of PS.Case No. -209 Year- 2012 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

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Abdul Lateef Ansari son of Md. Alam Ansari, resident of village-
Bhawanipur, P.S-Jogapatti, District-West Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Ayasha Khatoon wife of Abdul Latif Ansari, daughter of Mansoor Ansari, resident of Ramnagar Bankat, P.S-Majhauilya, District-West Champaran.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.3779 of 2015)

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate

For the State : Mr. Yogendra Kumar Singh, APP

(In Cr.Misc. No.5266 of 2015)

For the Petitioner/s : Mr. Sanjeev Kumar Srivastava, Advocate

For the Opposite Party/s : Mr. Ram Kishun Prasad, Advocate

For the State : Mr. Maya Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

3 05-08-2015

In the instant applications filed under section 482 of the Code of Criminal Procedure (for short “the Code”), the petitioners seek quashing of the order dated 27.10.2014 passed by the learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran in Trial No.1849 of 2014 arising out of Complaint Case No.209C of 2012 whereby the learned Magistrate has summoned the petitioners to face trial for the offence punishable under section 498A of the Indian Penal Code.

From perusal of the impugned order dated 27.10.2014 it would appear that the learned Magistrate has summoned the petitioners after taking into consideration the statement of the complainant on oath and the statements of the witnesses examined in course of enquiry under section 202 of the Code.

In the present applications neither the statement of the complainant nor the statements of the witnesses examined in course of enquiry has been brought on record. In absence of those documents, I find it difficult to adjudicate this application on merit.

In that view of the matter, these applications are

disposed of with liberty to the petitioners to file another application in the same subject matter after bringing on record all the relevant documents on the basis of which the learned Magistrate passed the impugned order.

(Ashwani Kumar Singh, J)

Md.S./-

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