

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18343 of 2015

Arising Out of PS.Case No. -56 Year- 2013 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sk. Shahzad son of Late S K Manzoor
 2. Sk. Munna son of Late Mubarak
 3. Mainul Haque son of Late Mubarak
 4. Intiyaz Alam son of Sk.Mainul Haque all resident of village- Hasanpur,
P.S. Kundwa Chaunpur, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta

For the Opposite Party/s : Mr. Ahmad Ali(App)

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 28-04-2015 The petitioners seek quashing of the order dated 19.01.2015 passed by learned Judicial Magistrate, 1st Class, Sikrahna at Motihari, East Champaran in Kundwa Chainpur P.S. Case No. 56/2013 whereby and whereunder finding a prima facie case to be made out for the offences punishable under Sections 341, 323, 504 read with 34 of the Indian Penal Code, the petitioners have been summoned to face trial.

The allegations made in the First Information Report attract the ingredients of the offence alleged. In course of investigation, several witnesses were examined by the Investigating Officer of the case. In their statement recorded

under Section 161(3) of the Code of Criminal Procedure, they have supported the allegations made in the First Information Report.

In view of the materials collected in course of investigation, the Police submitted chargesheet against the petitioners for the aforementioned offences.

On perusal of the First Information Report, the materials collected in course of investigation and the Police report submitted under Section 173(2) of the Code of Criminal Procedure, the magistrate concerned has found that a prima facie case is made out against the petitioners and summoned them to face trial.

Regard being had to the facts and circumstances of the case, I find no illegality in the order.

This application is dismissed.

(Ashwani Kumar Singh, J)

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