

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20767 of 2015

Arising Out of PS.Case No. -113 Year- 2012 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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1. Satish Singh @ Mukesh Kumar Son of Sri Dharam Raj Singh resident of
Dekhpura, P.S. Rahui, District- Nalanda ta Bihar Sharif.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 26-06-2015

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

By this application filed under section 482 of the Code
of Criminal Procedure, the petitioner seeks quashing of the order
dated 04.10.2012 passed by the learned Judicial Magistrate 1st Class,
Nalanda at Bihar Sharif in Rahui P.S.Case No.113 of 2012, by which
the learned Magistrate has taken cognizance of the offences
punishable under sections 341, 323 and 504 read with 34 of the
Indian Penal Code against the petitioner.

It would appear from the FIR that there is specific
allegation against the petitioner to have abused and assaulted the
informant and his mother. The police investigated the case and found

the allegations made in the FIR to be true. Accordingly the petitioner along with others was sent up for trial. On perusal of the allegations made in the FIR and the materials collected in course of investigation, the learned Judicial Magistrate 1st Class, Nalanda at Bihar Sharif has taken cognizance of the offences on the grounds mentioned hereinabove.

Regard being had to the facts and circumstances of the case, I find no illegality in the impugned order dated 04.10.2012 passed by the learned Judicial Magistrate 1st Class, Nalanda at Bihar Sharif in Rahui P.S. Case No.113 of 2012. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J)

Pradeep/-

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