

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23837 of 2015

Arising Out of PS.Case No. -182 Year- 2000 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

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1. Radhe Mahto son of Bodh Narayan Mahto
 2. Bikram Mahto son of Radhe Mahto
 3. Munarak Mahto @ Mundrika Kumar son of Radhe Mahto
 4. Uday Mahto son of Radhe Mahto all residents of village - Ben, P.S. Silao (Ben), Dist - Nalanda.
 5. Laldhar Prasad son of Late Jamun Mahto resident of village Kathanpura P.S. Noorsarai, Dist Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajendra Prasad son of Late Mangal Mahto resident of Village - Kathanpura, P.S. Noorsarai, Dist Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 18-09-2015

By way of filing the present application under Section 482 of the Code of Criminal Procedure, the petitioners seek quashing of the order dated 03.10.2001 passed by the learned Judicial Magistrate, Nalanda at Biharsharif by which cognizance has been taken under sections 363 and 365 of the Indian Penal Code against the petitioners in connection with Noorsarai P.S.Case No. 182 of 2000.

The allegations made in the FIR do attract the ingredients of the offences alleged. In course of investigation, the

allegations were found true. The impugned order was passed by the learned Magistrate 14 years back. From a perusal of the impugned order, I find that several witnesses examined in course of investigation have supported the allegations made in the FIR.

In that view of the matter, I find no illegality in the impugned order. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J)

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