

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15632 of 2012

Arising Out of PS.Case No. -64 Year- 2010 Thana -null District- MADHUBANI

Suresh Prasad Yadav, son of Sri Singheshwar Prasad Yadav, Lecturer and Head of Department in Physics Department, K. P. College, Murliganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Kumar, son of Nagendra Yadav,
3. Ajay Kumar Bharti, son of Nagendra Yadav, both resident of village-Murliganj, Ward No.9, P.S.-Murliganj, District- Madhepura &
4. Sanjeev Kumar, son of Hariballav Yadav, resident of village- Kolhaipatti, P.s.- Murliganj, district- Madherpura.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. U. C. Prasad, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 10-02-2015

The Petitioner seeks quashing of the order dated 15.03.2012 by which the Judicial Magistrate, 1st class, Madhepura, has refused the application of the Informant filed under Section 228 Cr. P. C. for adding Section 353 Indian Penal Code and Section 10 of the Examination Conduct Act, 1981, at the time of framing of Charge in Murliganj P.S. Case No.64 of 2010 arising out of G.R. No.501 of 2010.

Considering that the Trial Court itself was conscious that it would amend the Charge if ingredients of Section 353 Indian Penal Code and Section 10 of the Examination Conduct Act are made out, the application is disposed off on the same terms.

(Anjana Prakash, J)

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