

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31922 of 2015

Arising Out of PS.Case No. -2347 Year- 2011 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

1. Md. Zubair Alam Son of Md. Kalimuddin resident of Village Sampur, Ishipur
Barshat, Ps. Ishapur Barahat, & Pirpainti, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Md. Tafjul Hussain.
3. Md. Muntjir.
4. Md. Muntaj O.p no. 2 to 4 are sons of late Badruddin
5. Amir @Sukhna Son of
6. Gulfranj son of Md. Muntjir.
7. Jarina Khatoon wife of Md. Tafjul Hussain.
8. Nasima wife of Md. Muntjir.
9. Sitara wife of Md. Mumtaj. All O.p NO. 2 to 9 are resident of Village Sampur,
P.s Jahipur Barahat, District Bhagalpur.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal, Advocate

For the Opposite Party/s : Mr. Ram Naresh Roy, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 20-07-2015

The Petitioner seeks quashing of the part of the order dated 2.5.2015, by which the Judicial Magistrate, 1st class, Bhagalpur has not taken cognizance under Section 436 I.P.C. in connection with Complaint case No.2347 of 2011 corresponding to Trial No.2249 of 2011.

Since cognizance is not taken of a particular offence but of the case as a whole and what offence is made out is best determined at the stage of framing of charge, I am not inclined to interfere in the

matter.

The application is disposed of with liberty to the
Petitioner to raise all these points at the stage of charge.

It is clarified that this Court has not applied its mind to
the facts of the case.

(Anjana Prakash, J)

Narendra/-

U		T	
---	--	---	--