

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31631 of 2015

Arising Out of PS.Case No. -7 Year- 2015 Thana -SC/ST P.S. District- MUZAFFARPUR

- =====
1. Nand Kishore Sharma @ Nandu Singh S/o Late Ram Dayal Singh
 2. Braj Kishore Sharma, S/o Late Ram Dayal Singh
 3. Chandra Bhushan @ Sultani, S/o Braj Kishore Singh
- All Resident of Village -Chapra Megh, P.S. -Musahri, District Muzaffarpur.

.... Petitioners

Versus

1. The State of Bihar.
2. Rajesh Ram, S/o Lakshan Ram, Resident of Village-Chapra Megh, P.S.-Musahri, District -Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mrs. Alka Verma, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 18-12-2015

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

By way of the present application under Section 482 of the Code of Criminal Procedure (For short 'Cr. P.C.'), the petitioners seek quashing of the order dated 21.05.2015 passed by the learned A.C.J.M. Muzaffarpur in SC/ST P.S. Case No. 7/2015 by which cognizance has been taken for the offences punishable

under Sections 341, 323, 504, 506/34 of the Indian Penal Code and 3(1)(x) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act.

From a bare perusal of the FIR, it would appear that the ingredients of the offences alleged are clearly attracted in the present case. The allegations made in the FIR were found to be true during investigation and on completion of investigation, the police have sent up the petitioners to face trial by submitting a report under Section 173 Cr. P.C.

Taking into consideration the allegations made in the FIR and the materials collected during investigation, the court below has found a prima facie case against the petitioners and, hence, they have been summoned to face trial.

I find no illegality in the order impugned. Accordingly, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J.)

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