

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35130 of 2012

Arising out of PS.Case No. -9 Year- 2012 Thana -Matihani District- BEGUSARAI

- =====
1. Binay Kumar Singh, Son of Late Lakhan Singh.
 2. Aman Kumar, Son of Binay Kumar Singh.
- Both resident of Village Ramdhiri, Nakati Tola, P.S. Matihani, District Begusarai.

.... Petitioners

Versus

1. The State of Bihar.
2. Ajay Kumar Singh, Son of Ram Balak Singh, Resident of Village Ramdiri Nakati Tola, P.S. Matihani, District Begusarai.

.... Opposite Parties

=====

Appearance :

For the Petitioners	:	Sri Ajit Kumar, Advocate
		Sri Ashutosh Kumar Jha, Advocate
For the State	:	Sri Hriday Pd. Singh, APP
For O.P. No.2	:	Sri Pramod Manbansh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE DHARNIDHAR JHA

ORAL JUDGMENT

Date: 09-03-2015

Heard.

2. The petitioners seek quashing of the order dated 26.06.2012 by which the present petitioners and others were summoned to stand their trial for offences under Sections 341, 323, 324, 307 and 34 of the Indian Penal Code.

3. The submission was that there was no individual allegation appearing against the two petitioners and there was a counter case also which was also found true.

4. It is too early to go into the merits of the facts and allegations. The same has to be done by the court below by recording evidence during the trial. Filing of counter case may not be a ground

for quashing of the proceedings.

5. The petition is dismissed as of no merit.

6. Any order staying the proceedings in the court below passed by this Court ever shall stand vacated.

(Dharnidhar Jha, J.)

Sanjay/N.A.F.R.

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