

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49636 of 2012

Arising Out of P. S. Case No. -86 Year- 2012 Thana –Sathi District- WEST
CHAMPARAN (BETTIAH)

- =====
1. Sheikh Sadre Alam @ Sadre Alam S/O Late Ismohammad Mian
 2. Sheikh Asha S/O Late Guljar Mian
 3. Noor Alam @ Roo Alam S/O Sheikh Sadre Alam @ Sadre Alam
All resident of Village - Baswaria, P.S. Sathi, District - West Champaran

.... Petitioners

Versus

1. The State Of Bihar
2. Sunarpati Devi wife of Ramayan Pandey @ Ramayan Rai R/O Village -
Baswaria, P.S. Sathi, District - West Champaran

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Md. Anish Akhtar, Adv.

For the Opposite Party/s : Mr. Ajay Kumar- I, APP

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL

ORAL JUDGMENT

Date: 30-04-2015

Heard learned counsel for the petitioners and the State.

This application has been filed for quashing the order dated 8.11.2012 passed by the learned Chief Judicial Magistrate, West Champaran at Bettiah in Sathi P. S. Case No. 86 of 2012 by which cognizance has been taken against the petitioners for the offence punishable under Sections 341, 323, 324, 504 and 34 Indian Penal Code.

It appears that the learned Magistrate has taken cognizance against the petitioners after considering the first information report and the material available in the case-diary. It is settled principle of

law that at the time of taking cognizance the Magistrate is not required to meticulously examine as to whether the evidence will lead to conviction of the accused or not.

Considering the facts and circumstances, I do not find any ground to interfere with the impugned order. This application is dismissed.

However, the petitioners will be at liberty to raise their grievance at the time of framing of charge.

(Amaresh Kumar Lal, J)

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