

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 27425 of 2013

Arising Out of PS.Case No. -4 Year- 2012 Thana -NAWADA TOWN District- NAWADA

1. Md. Arif Mallik @ Md. Arif S/O Md. Hamid
2. Md. Hamid S/O Late Md. Siddique
3. Noor Jahan Begum W/O Md. Hamid
All Residents of Village- Garhi, P.S.- Lakhisarai, District- Lakhisarai

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Arun Kr. Pandey

For the Opposite Party/s : Mr. Ashraf Ansari(App)

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 21-04-2016 Three petitioners have invoked inherent jurisdiction of this Court under Section 482 of the Code of Criminal Procedure, with a prayer to quash an order dated 16-05-2013 passed by learned Chief Judicial Magistrate, Nawada in Town P.S. Case No. 4 of 2012. By the said order, the learned Magistrate has taken cognizance of offence under Sections 304(B)/34 of the Indian Penal Code.

Earlier, an F.I.R. was lodged against ten accused persons. Petitioners were also named as accused in the F.I.R., however; during investigation, accusation against seven accused persons was found not sufficient and as such, while submitting charge-sheet against these three petitioners, other seven accused

persons were exonerated. After receipt of the charge-sheet, the learned Magistrate has passed order of cognizance under Sections 304(B)/34 of the Indian Penal Code.

On perusal of the impugned order, the Court is satisfied that there is no apparent error warranting interference.

The petition stands dismissed.

(Rakesh Kumar, J.)

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