

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21431 of 2013

Arising Out of PS.Case No. -310 Year- 2010 Thana -GAYGHAT District- MUZAFFARPUR

1. Arun Kumar Singh, s/o Late Nand Kishore Singh
2. Jai Mala Devi w/o Sri Arun Kumar Singh
3. Gula Singh @ Daksh Kumar s/o Sri Arun Kumar Singh
All resident of village Pura P.S. Gaighat District Muzaffarpur
..... Petitioner/s

Versus

The State of Bihar
..... Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-03-2016 Heard Sri Bishwajit Singh, learned counsel for the
petitioners and learned A.P.P.

The petitioners in the present petition filed under
Section 482 of the Code of Criminal Procedure have made a
prayer for quashing of the order of cognizance dated 12.3.2012
passed in Gaighat P.S. Case No. 310 of 2009 , G.R. No. 3585 of
2009, Tr. No. 3285 of 2013. By the said order the learned Chief
Judicial Magistrate has taken cognizance of the offence under
Section 341, 323, 353, 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
informant's side were aggressors and in a land dispute where
status quo order was already going on occurrence had allowed to
be committed. According to learned counsel for the petitioners no

case is made out and as such he has made a prayer for quashing of the order of cognizance. He further submits that the order of cognizance does not indicate the reason for passing the same.

Besides hearing learned counsel for the parties I have also perused the material on record. On perusal of the order impugned the court is satisfied that there is no apparent error warranting interference with the same.

The petition stands dismissed.

(Rakesh Kumar, J)

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