

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14865 of 2014

Arising Out of PS.Case No. -168 Year- 2012 Thana -BOCHHA District- MUZAFFARPUR

=====

1. Arun Sahani Son Of Pyare Sahani
2. Arjun Sahani Son Of Pyare Sahani
3. Ram Shreshtha Sahani Son Of Siya Sharan Sahani
All are resident of Village-Karnpur Bochahan, P.S. Bochahan, District-
Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. Radha Devi Wife Of Naresh Sahani , resident of Village-Karnpur
Bachahaon, P.S. Bochahaon, District-Muzaffarpur

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mrs. Bela Singh

For the Opposite Party/s : Mr. Uma Nath Mishra (App)

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 02-08-2016 Heard Smt. Bela Singh, learned counsel for the
petitioners and learned A.P.P.

Three petitioners, have approached this court invoking
its inherent jurisdiction under section 482 of the Code of Criminal
Procedure, with a prayer to quash an order dated 26.2.2014
passed by learned Adhoc Additional Sessions Judge 2nd ,
Muzaffarpur in Sessions Trial No. 841 of 2013 (arising out of
Bochahan P.S. Case No. 168 of 2012). By the said order the
learned court below has rejected the petition for discharge filed
on behalf of the petitioners under section 227 of the Cr.P.C. The
case was registered for the offence under section 302 / 120(B) /

34 of the Indian Penal Code.

Learned counsel for the petitioners by way of referring to certain facts in the case diary particularly the so- called fardbyan of the brother of the deceased submits that it was a case of accidental death however subsequently false case was instituted. The court has also perused the case diary. Without recording any opinion on the merit of the case the court proposes to dispose of the present petition with observation that petitioners may take the plea, which has been taken in the present petition at defence stage.

(Rakesh Kumar, J)

Praful/-

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