

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 21175 of 2014

Arising Out of PS.Case No. -130 Year- 2010 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Urmila Devi wife of Anirudh Sah
2. Anirudh Sah son of Gobardhan Sah
3. Vicky Kumar Sah son of Anirudh Sah
All resident of village - Sonkhar Check Post P.S. Ramnagar, Dist - West
Champaran.

.... Petitioners

Versus

1. The State of Bihar.
2. Jawahar Prasad Yadav son of Late Ram Lakhan Prasad Yadav Resident
of village - Sonkhar Check Post P.S. Ramnagar, Dist - West Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ravi Shankar Sahay
Mr. Vijay Kr Singh No. 1
For the Opposite Party/s : Mr. Ashok Kr.Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 12-08-2016 Heard Sri Ravi Shankar Sahay, learned counsel, who
was assisted by Sri Vijay Kumar Singh No. 1, learned counsel for
petitioners and learned Addl. Public Prosecutor.

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 17-04-2014
passed by learned Adhoc Additional District & Sessions Judge Ist,
Bagaha, West Champaran in Sessions Trial No. 999 of 2013
(arising out of Ram Nagar P.S. Case No. 130 of 2010) registered
for the offence under Sections 448, 323, 324, 307, 379 & 34 of the

Indian Penal Code.

It was submitted by learned counsel for petitioners that there was case and counter case in between the parties. By way of referring to injury report, he submits that injuries were found as simple in nature and as such, since there was no material to presume commission of offence under Section 307 of the Indian Penal Code, from the petitioners' side, a petition was filed under Section 228 of the Cr.P.C. for remitting back the matter to the learned Magistrate for trial, which has been rejected by the learned Addl. Sessions Judge.

Besides hearing, I have also perused the materials on record, including the impugned order. After going through the F.I.R. and the impugned order, in which, learned Addl. Sessions Judge has discussed number of paragraphs of the case diary, I do not find any ground for interference.

The petition stands dismissed.

(Rakesh Kumar, J.)

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