

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28397 of 2013

Arising Out of PS.Case No. -381 Year- 2010 Thana -BHOJPUR COMPLAINT CASE District-
BHOJPUR

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Ajay Singh , son of Late Rameshwar Singh resident of village Alipur P.S.
Ara Muffasil District Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
 2. Haridwar Singh s/o Late Sahdeo Singh
 3. Abhinandan Kumar Singh @ Dhiraj , s/o Havaladar Singh
 4. Akhilesh Sah @ Doctarwa s/o Suraj Sah
- All resident of village Ahirpurwa P.S. Ara Town District Bhojpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mrs. Pushpa Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 08-12-2016 Heard Sri Ravindra Kumar, learned counsel for the

petitioner and learned Additional Public Prosecutor.

The petitioner has approached this Court invoking its
inherent jurisdiction under Section 482 of the Code of Criminal
Procedure 1973 with a prayer to quash an order dated 15.3.2013
passed in Complaint Case No. 381C of 2010 by the Sub
Divisional Judicial Magistrate, Bhojpur at Ara (hereinafter
referred to as the “Magistrate”). By the said order the learned
Magistrate has rejected the protest- cum- complaint petition under
Section 203 of the Code of Criminal Procedure 1973.

It was submitted by learned counsel for the petitioner
that nephew of the petitioner was done to death by the opposite



party no. 2 to 4 by administering poison. After death as per information given by the petitioner an F.I.R. was lodged vide Ara Town P.S. Case No. 336 of 2009 for offences under Sections 328/ 302/ 201/ 34 of the Indian Penal Code however Police maliciously exonerated all the accused persons. Thereafter petitioner filed protest petition which was treated as complaint petition and after enquiry the learned Magistrate without application of mind has given benefit to the accused persons and rejected the complaint petition.

Besides hearing I have perused the impugned order. On going through the same the Court is satisfied that there is no apparent error warranting interference.

The petition stands dismissed.

(Rakesh Kumar, J)

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