

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50387 of 2014

Arising Out of PS.Case No. -229 Year- 2012 Thana -MADHUBANI TOWN District-
MADHUBANI

- =====
1. Kamal Devi @ Kamla Devi, wife of Late Sone Lal Sah, resident of Mohalla-
Maharajganj, Madhubani, Police Station- Town, (Nagar), District- Madhubani
 2. Raj Kumar Sah son of Late Mahadeo Sah, resident of village- Madhepur, Police
Station- Madhepur, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Rahul Kumar son of Sri Mahendra Sah, resident of Mohalla- Churi Bazar, Ward
No.- 16, Police Station- Town (Nagar), District- Madhubani

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 05-08-2016

The challenge to the order dated 29.3.2014/31.3.2014 passed
by the Chief Judicial Magistrate, Madhubani in Town P.S. Case no.
229 of 2012 taking cognizance of the offence in the present
application is thoroughly misconceived.

2. A case under Sections 364, 326, 302 and 201/32 of the
Indian Penal Code was registered against the petitioners. On
completion of investigation finding the allegation to be true they were
sent up for trial. On appreciation of materials being available on
record, the Magistrate took cognizance of the offences and taking into
consideration that some of the offences are exclusively triable by a

court of session, he has committed the case to the court of session. In course of argument, no illegality in the impugned order could be pointed out by the learned counsel for the petitioners.

3. On perusal of the materials available on record, I also could not find any illegality in the impugned order dated 29.3.2014/31.3.2014 passed by the learned Chief Judicial Magistrate, Madhubani. No other legal point has been argued by the learned counsel for the petitioners.

4. Thus, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	
Transmission Date	