

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2606 of 2014

Arising Out of PS.Case No. -188 Year- 2009 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Amit Kumar Shrivastava S/O Prem Bihari Shrivastava Vill.- Panditpur, P.S.- Paharpur, Dist.- East Champaran
 2. Sumit Kumar S/O Prem Bihari Shrivastava Vill.- Panditpur, P.S.- Paharpur, Dist.- East Champaran

.... Petitioner/s

Versus

1. The State Of Bihar
2. Nita Devi W/O Bichun Kumar Shrivastava Of Vill.- Panditpur, P.S.- Paharpur, Dist.- East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar (App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

7 16-11-2016 Heard learned counsel for the petitioners, learned

counsel appearing on behalf of the Opposite Party No. 2 and

learned A.P.P. for the State.

The present application has been filed for quashing of
the order dated 30.08.2013 passed by learned 4th Additional
Sessions Judge, East Champaran, Motihari in Criminal Revision
Nos. 78/ 2012 and 64 of 2012 whereby the order dated
17.12.2011 passed by learned Chief Judicial Magistrate, Motihari ,
East Champaran has been set aside with direction to pass fresh
order as prima-facie a case under Sections 306, 376 and 504/34 of
the Indian Penal Code is made out against the petitioners and two

others. Subsequently, I.A.No.439/2014 was filed for amendment in the prayer portion and additional prayer was made for quashing of the order dated 16.12.2013 passed by learned Chief Judicial Magistrate, East Champaran at Motihari in Pharpurpur P.S.Case No. 188 of 2009 whereby processes were directed to be issued after taking cognizance against the petitioners and two others, namely, Atul Kumar Srivastava and Dhiraj in pursuance of the revisional order dated 30.08.2013.

Having heard the parties and on perusal of the records of the case the allegations made in the F.I.R. do attract the ingredients of cognizable offence alleged. The present application is devoid of merit and is hereby dismissed.

(Nilu Agrawal, J)

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