

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2134 of 2016

Arising Out of PS.Case No. -844 Year- 2009 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

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1. Ugan Bhagat, Son of Late Fauzdar Bhagat.
2. Shambhu Bhagat, Son of Ugan Bhagat.
3. Sudhir Kumar Bhagat @ Sudhir Bhagat, son of Kameshwar Bhagat
All residents of Village- Dwarika Nagar, P.S. Mushahari, District-
Muzaffarpur, Presently residing at Village Binde, P.S. Mushshari, District-
Muzaffapur.

.... Petitioners

Versus

1. The State of Bihar.
2. Kalawati Devi, W/o Chaturi Bhagat of Village- Bakhri Keso, P.S.
Gaighat, Distt- Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Arun Kumar, Advocate
For the Opposite Parties : Mr. A.Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR
TRIVEDI
ORAL ORDER

2 10-08-2016 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

Petitioners are aggrieved by an order dated
05.10.2015 passed by learned Additional Sessions Judge 6th,
Muzaffarpur in Sessions Trial no. 300/2010 whereby and
whereunder, petitioners have been summoned to face trial in terms
of Section 319 of the Code of Criminal Procedure.

Gone through the order impugned in consonance
with the submissions made on behalf of petitioners.

Petitioners, at an earlier occasion, were named but not charge-sheeted. However, their presence is found duly substantiated by the evidence of the material witnesses more particularly Puja Kumari, one of the victim, during course of commission of crime which justify the order impugned whereby and whereunder, the learned Lower Court summoned the petitioners to face trial, under Section 319 of the Code of Criminal Procedure which happens to be just, legal and proper.

Accordingly, the instant petition lacks merit and is rejected.

(Aditya Kumar Trivedi, J.)

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