

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14842 of 2016

Arising Out of PS.Case No. -955 Year- 2009 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

- =====
1. Ahmad Khan @ Bhuar Khan Son of Hafiz Mohammad Nayimuddin Khan
 2. Manjar Khan Son of Ahmad Khan alias Bhuar Khan
 3. Anjar Khan
 4. Ansar Khan
 5. Asfar Khan
 6. Afghan Khan @ Apjan Khan
 7. Irfan Khan
- Petitioner nos. 3 to 7 are sons of Ahmad Khan alias Bhuar Khan, resident of village Koath, Police Station – Dawath, District – Rohtas.
8. Sheo Shanker Singh Son of Master Gaya Singh resident of village Chak Chatar, Police Station – Dawath, District – Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar
2. Hafix Md.Jama Khan S/o Late Hafiz Md. Nayimuddin Khan R/o village – Koath, P.S. Dawath, District – Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Dwivedi

For the Opposite Party/s : Mr. Rajendra Singh Shastri(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 13-05-2016

The present application has been filed for quashing the order dated 24.02.2010 passed by learned Judicial Magistrate, Bikramganj, Rohtas in Complaint Case No. 955(C) of 2009 whereby processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 147, 148, 323, 379 and 326 of the Indian Penal Code, though, while exercising revisional jurisdiction the learned Additional Sessions Judge Fast Track Court No. II, Rohtas at Sasaram passed

in Criminal Revision No. 73 of 2010 observed that the offence under Section 326 IPC has not been attracted from the injury report.

It is very fairly submitted by learned counsel for the petitioners that the evidence before charge under Section 244 Cr.P.C. is being recorded.

Hence, this Court is not inclined to interfere. Accordingly, this application is disposed of with liberty to the petitioners to raise all the contentions at the time of framing of charge.

(Dinesh Kumar Singh, J)

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