

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48582 of 2014

Arising Out of PS.Case No. -34 Year- 2009 Thana -WEST CHAMPARAN GRP CASE District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Shambhu Hazara son of Late Ramayan Hazara, Resident of Village - Semara Parsa, Police Station (Sirisiya O.P.) Manuapul, District - West Champaran.
 2. Birendra Sah son of Ratan Sah, Resident of Village - Langra Diuliya, Police Station - Shikarpur, District - West Champaran.
 3. Hub Lal son of Ram Nai Sah, Resident of Village - Goreya Gar, P.S. -Meha Dal, District-Sant Kabir Nagar, U.P.
 4. Shesh Nath Chaudhary son of Late Bikram Chaudhary, Resident of Village – Naya Gaon, Rampur, P.S.-Laukariya, District -West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.7

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date: 29-07-2016

By way of the present application preferred under Section 482 of the Code of Criminal Procedure (for short 'CrPC'), the petitioners seek quashing of the charges dated 17.1.2011 against the petitioners under Sections 376, 342, 323, 379 and 511 of the Indian Penal Code.

2. Be it noted that no application for discharge under Section 227 of the CrPC was filed by the petitioners at the time of framing of charge. The petitioners had no grievance with respect to the charges framed against them for about four years. The instant application under Section 482 of the CrPC has been filed before this

Court on 3rd December, 2014. It is not known what happened to the trial of the petitioners since the date of framing of charge i.e. 17th January, 2011.

3. Even otherwise, on examination of the allegations made in the FIR, I find that they do attract the ingredients of the offences alleged and during investigation the investigating officer has found those allegations to be true. On completion of investigation, charge-sheet has been submitted against the petitioners under the aforesaid offences.

4. If on perusal of the FIR, the police report and the materials collected during investigation including the statements of the witnesses recorded under Section 161(3) of the CrPC, the trial court has found sufficient ground to frame charges against the petitioners, I find no illegality in the order impugned.

5. Accordingly, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	
Transmission Date	