

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46976 of 2013

Arising Out of PS.Case No. -323 Year- 2011 Thana -KADAMKUAN District- PATNA

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1. Bhupendra Chouhan s/o Late Indrajeet Singh
2. Suman Chouhan W/o Sri Bhupendra Chouhan
Both Resident Of Rastogi Bhawan, Kadamkuan, P.S.- Kadamkuan, District
- Patna

.... Petitioner/s

Versus

1. The State Of Bihar.
2. Dimple Devi Wife Of Amit Kumar Gupta Resident Of Village -
Gulabbagh Market, P.S.- Kadamkua, District - Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha
For the Opposite Party/s : Mr. R.B.Roy Raman (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

7 01-08-2016 Heard Sri Binod Kumar Sinha, learned counsel for the

petitioners, Sri R.B. Roy Raman, learned A.P.P. as well as Sri

Shailendra Kumar Sinha, learned counsel for the informant/

opposite party- 2.

In the present case two petitioners have prayed for
quashing of an order dated 30.1.2012 passed by learned Chief
Judicial Magistrate, Patna in connection with Kadamkuan P.S.
Case No. 323 of 2011 registered for the offence under section
385, 323, 379, 34 of the Indian Penal Code. By the said the
learned Magistrate has taken cognizance of offence, as
indicated hereinabove.

Learned counsel for the petitioners tried to persuade the court that in a complete false case petitioners have been made accused whereas after registering F.I.R. police investigated the case and finding the accusation true the police submitted charge sheet and only thereafter the learned Magistrate has passed the order of cognizance. In the order of cognizance there is no apparent error warranting interference.

The petition stands dismissed.

(Rakesh Kumar, J)

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