

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7896 of 2014

Arising Out of PS.Case No. -47 Year- 2012 Thana -PALASI District- ARRARIA

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1. Durgeshwar Jha, son of Late Giranand Jha, resident of Village- Dehti South Brahman Tola, P.S. Palasi, District- Araria.
 2. Vijay Jha @ Vijay Kumar Jha, son of Durgeshwar Jha.
 3. Pawan Jha @ Pawan Kumar Jha, son of Durgeshwar Jha.
Both resident of Village Dehti, South Brahman Tola, P.S. Palasi, District- Araria

.... Petitioners.

Versus

1. The State of Bihar.
2. Amar Jha, son of Dilip Jha, resident of Village- Dehti South Brahman Tola, P.S.- Palasi, District- Araria.

.... Opposite Parties.

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Appearance :

For the Petitioners : Mr. Gopal Kumar Jha, Advocate.

For the State : Mr. Dashrath Mehta, A.P.P.

For the Opposite Party No.2 : None.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 28-11-2016

Heard.

2. This application, under Section 482 of the Code of Criminal Procedure, has been filed on behalf of the petitioners for quashing the order dated 04.02.2013 passed in Palasi P.S. Case No.47 of 2012 (G.R. No.1015 of 2012), whereunder the court of the Chief Judicial Magistrate, Araria, took the cognizance of the offence under Sections 341, 342, 323 and 504/34 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act against the petitioners on perusal of the materials available in the case diary.

3. From perusal of the impugned order, I find no illegality therein amounting to abuse of the process of the court for interference with the same in an extraordinary jurisdiction of this Court under Section 482 of the Code of Criminal Procedure.

4. Accordingly, this application stands dismissed.

(Rajendra Kumar Mishra, J)

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