

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33170 of 2013

Arising Out of PS.Case No. -220 Year- 2012 Thana -VAISHALI District- VAISHALI(HAJIPUR)

Dhiraj Tiwari @ Dhiraj Mishra @ Dhiraj Kumar Tiwari @ Dhiru S/o Anil Kumar Mishra, Resident of village- Hamidpur, P.S.- Vaishali, District-Vaishali

.... Petitioner

Versus

1.The State of Bihar

2. Ajay Kumar Singh S/o Late Ramnaresh Singh, Resident of village- Shahjahanpur, P.S.- Vaishali and District- Vaishali

.... Opposite Parties

Appearance:

For the Petitioner : Mr. Sunil Kumar Pandey, Advocate

For the Opposite Parties : Mr. Prem Kumar Jha (APP)

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 04-08-2016

The petitioner is one of the named accused in Vaishali P.S. Case No. 220 of 2012 dated 16.08.2012 registered under Sections 395 and 397 of the Indian Penal Code.

According to the prosecution case, the petitioner along with two others named in the F.I.R and 12 (twelve) unknown persons committed dacoity in the house of the informant. The police investigated the case and on completion of investigation, the accused persons including the petitioner were sent for trial for having committed offences punishable under Sections 395 and 397 of the Indian Penal Code and also 27 of the Arms Act pursuant to which vide impugned order dated 17.12.2012, the learned Chief Judicial Magistrate, Vaishali at Hajipur took cognizance of the offences.

In view of the nature of allegation made in the F.I.R., which has been found true in investigation, I find no substance in the present application challenging the order of cognizance.

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

(Ashwani Kumar Singh, J.)

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