

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35428 of 2013

Arising Out of PS.Case No. -64 Year- 2012 Thana -JANDAHA District- VAISHALI(HAJIPUR)

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Sharma Nand Prasad son of Late Ramdeo Sah, resident of village- Sarvodya
Maidan, P.S.-Jandaha, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. Dipak Kumar Sah son of Ganouri Sah, resident of village- Purani Bazar, P.S.-
Jandaha, District- Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 10-08-2016

In the present application under section 482 of the Code of Criminal Procedure (for short 'CrPC') the challenge is to the order dated 12.11.2012 passed by the learned Chief Judicial Magistrate, Vaishali at Hajipur, whereby cognizance has been taken under Sections 341, 323, 307 and 379/34 of the Indian Penal Code in connection with Jandaha P.S. Case No.64 of 2012.

2. The allegations made in the FIR as contained in annexure-1 to the present application do attract ingredients of the offences alleged.

3. On completion of investigation, the police found the allegations made against the petitioner to be true and the petitioner was sent up for trial. By the impugned order dated 12.11.2012, the

learned Chief Judicial Magistrate, Vaishali at Hajipur has taken cognizance of the offences under which the police report was submitted in the court under Section 173(2) of the CrPC as against the petitioner and two others.

4. Having heard the parties and perused the record, I see no illegality in the impugned order dated 12.11.2012 passed by the learned Chief Judicial Magistrate. Accordingly, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N/A
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