

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1349 of 2016

Arising Out of PS.Case No. -664 Year- 2013 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

- =====
1. Lalbabu Singh son of Late Jagdish Singh
 2. Dhiraj Kumar son of Lal Babu Singh
 3. Prakash Kumar Singh @ Prakash Kumar son of Nand Kishore Singh
 4. Nand Kishore Singh son of Rajmangal Singh All R/o village - Punaora, p.s. and district - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Suresh Prasad Singh son of Late Krishna Bibhuti Singh R/o village - Punaora, p.s. and district - Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Prasad Sinha

For the Opposite Party/s : Mr. Shailendra Kumar No.1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 01-04-2016

Heard learned counsel for the parties.

The present application has been filed for quashing the order cognizance dated 21.7.2015 passed by the learned SDJM, Sadar, Sitamarhi in Complaint Case No. 664 of 2013 / Tr. No. 3663 of 2015 whereby prima facie case has been found against the petitioners under sections 147,148,323,341,448,504,506 and 436/34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioners that there is inconsistency between the accusation levelled in the

complaint and the statement of witnesses examined during enquiry under section 202 Cr.P.C.

Be that as it may, this court is not inclined to interfere in the matter at this stage. However, this application is disposed of with liberty to the petitioners to raise all the issues at the time of framing of charge if the charges have already not been framed.

(Dinesh Kumar Singh, J)

Anil/-

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