

**IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 1660 of 2016**

Arising out of P.S. Case No. -140 Year- 2014 Thana -BARGANIA
District- SITAMARHI

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Shamshul Haque Ansari @ Shamshul Ansari, Son of Usman Ansari,
Resident of village- Sekhauna, P.S Bairgania, District- Sitamarhi.

.... Petitioner/s
Versus

1. The State of Bihar.
2. Md. Osi Akhtar Ansari, son of Suleman Ansari, Resident of
Village- Sekhauna, P.S Bairgania, District- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.
For the Opposite Party/s: Mr. M.K. Nirala (APP)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

02. 12.08.2016

Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is challenging the order
dated 27.03.2015 passed by the Chief Judicial Magistrate,
Sitamarhi in Bairgania P.S. Case No. 140 of 2014 (G.R. No.
2502 of 2014, Tr. No. 1832 of 2015) whereby and whereunder
the court below has taken cognizance under Sections 341, 323,
307, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
certain statement made in the FIR itself discloses that it was
not a case of Section 307 IPC but other sections are made out.

Considering that there is no illegality in the order of
cognizance, the application is dismissed.

(Shivaji Pandey, J.)

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