

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 2882 of 2016

Arising Out of PS.Case No. -25 Year- 2012 Thana -SULTANGANJ District- BHAGALPUR

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1. Tanki Devi @ Munni Devi, wife of Dinesh Ram
 2. Dinesh Ram son of Saryug Ram
Both resident of Bhir Samman, P.S. Sultanganj, District- Bhagalpur.
 3. Jagdeo Ram, Son of Late Chetaru Ram, resident of Village- Shankarpur,
P.S.- Muffasil, District- Munger.

.... Petitioners

Versus

1. The State of Bihar
2. Badho Ram, son of Late Anant Ram, resident of Manjhli, P.S.-
Sultanganj, District- Bhagalpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha
Mr. Raunak Kumar Singh “Pankaj”
For the Opposite Party/s : Mr. S.D. Singh Yadav (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 29-08-2016 Heard Sri Pankaj Kumar Sinha, learned counsel, who
was assisted by Sri Raunak Kumar Singh “Pankaj”, learned
counsel for petitioners and Sri S.D.Singh Yadav, learned Addl.
Public Prosecutor.

Three petitioners have approached this Court invoking
its inherent jurisdiction under Section 482 of the Code of Criminal
Procedure, with a prayer to quash an order dated 03-02-2015
passed by learned Additional Sessions Judge 2nd, Bhagalpur in
Sessions Trial No. 829 of 2014 (arising out of Sultanganj P.S.
Case No. 25 of 2012). By the said order, the learned Addl.
Sessions Judge has framed charges under Sections 363, 149,

366(A) of the Indian Penal Code and charge has been framed against one co-accused namely Rupesh Ram under Section 376 of the Indian Penal Code.

Learned counsel for petitioners submits that without any material on record, the learned Addl. Sessions Judge has framed charge. On the aforesaid ground, a prayer has been made to quash the framing of charge.

The Court is of the opinion that once in a criminal case, charge is framed, trial commences. Once trial commences, it would be appropriate for this Court to put self-imposed restriction, due to the reason that appraisal of evidence is to be done by the trial court, not by this Court, at this initial stage.

The petition stands dismissed.

(Rakesh Kumar, J.)

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