

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.16684 of 2016**

Arising Out of PS.Case No. -50 Year- 2015 Thana -BEERPUR District- BEGUSARAI

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1. Ramanuj Sharma , son of Late Ram Prasad Sharma  
2. Manohar Sharma  
3. Rohit Sharma @ Rohit Kumar Sharma  
4. Girdhari Sharma @ Giridhar Sharma  
all sons of Ramanuj sharma , all resident of village Maida Barangama, PS.  
Birpur District Begusarai

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Lalo Sahni son of Late Mahabir Sahni resident of village Maida  
Barangama, P.S.Birpur District Begusarai

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : Mrs. Ansuaiya Jaiswal (App)

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      29-09-2016                      Heard Sri Randhir Kumar No. 1 , learned counsel for  
the petitioners and learned Additional Public Prosecutor.

Four petitioners have approached this court invoking its inherent jurisdiction under Section 482 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the “Cr.P.C.”) with a prayer to quash an order dated 10.10.2015 passed by learned Judicial Magistrate 1<sup>st</sup> Class, Begusarai (hereinafter referred to as “Magistrate”) in Birpur P.S. Case No. 50 of 2015. By the said order the learned Magistrate after submission of charge sheet has passed order of cognizance under Sections 147, 148, 149, 447, 427 of the Indian Penal Code. It was submitted by learned counsel for

the petitioners that in a civil dispute color of criminal offence has been given. He further submits that civil suit has been decided in favour of the petitioners even then false case was instated by the informant.

However after going through the impugned order the court is satisfied that there is no apparent error warranting interference. The petitioners were named as accused in the F.I.R. along with others and during investigation accusation was found true and as such accused persons were forwarded to face trial and only thereafter order of cognizance has been passed. On perusal of the impugned order I do not find any ground for interference.

The petition stands dismissed.

**(Rakesh Kumar, J)**

Praful/-

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