

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 21246 of 2016

Arising Out of PS.Case No. -252 Year- 2012 Thana -DINARA District- SASARAM
(ROHTAS)

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Heera Lal Tiwari son of Late Haribansh Tiwari resident of
Village- Bhuawal, P.S.- Dinara (Bhanas O.P.), District-Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Nr. Singh

For the Opposite Party/s : Mrs. Renuka Ratnakar (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2. 29-09-2016 Heard Sri Rakesh Narayan Singh, learned
counsel for the petitioner and Smt. Renuka Ratnakar,
learned Addl. Public Prosecutor.

The sole petitioner has approached this Court
invoking its inherent jurisdiction under Section 482 of the
Code of Criminal Procedure, 1973 (in short "Cr.P.C.") with
a prayer to quash an order dated 01-03-2016, whereby
petition filed on behalf of petitioner under Sections 227 as
well as 228 of the Cr.P.C. was rejected by learned 3rd
Additional District & Sessions Judge, Rohtas at Sasaram
in Sessions Trial No. 335 of 2014.

It was submitted by learned counsel for the
petitioner that on trivial issue, dispute arose in between

the petitioner and the informant side and from both sides, cases were lodged. He submits that from petitioner's side also, a case was lodged for offence under Section 307 and other allied Sections of the Indian Penal Code, in which, chargesheet has also been submitted. He submits that in the present case, there was no material to show commission of offence under Section 307 of the Indian Penal Code, since injury was found simple in nature. On aforesaid ground, he makes a prayer for setting aside the order impugned, whereas, learned Addl. Public Prosecutor has opposed the prayer.

Besides hearing learned counsel for the parties, I have also perused the materials available on record, including the injury report. After going through the same as well as examining the impugned order, I do not find any apparent error for interference.

The petition stands dismissed.

(Rakesh Kumar, J.)

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