

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22905 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -PATNA GRP CASE District- PATNA

- =====
1. Geeta Devi , daughter of Naresh Yadav, wife of Satyendra Kumar Yadav
 2. Naresh Yadav, son of Jalo Yadav
 3. Ajay Yadav @ Ajay Kumar, son of Naresh Yadav
- All resident of Village-Patuana, P.S.-Biharsharif, Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. Doman Yadav @ Doman Gope, son of Late Chetan Gope, resident of Village-Patuana, P.S. & P.O-Biharsharif, Nalanda

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Yadav

For the Opposite Party/s : Mr. Shyam Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-09-2016

The present application has been filed for quashing the First Information Report of Biharsharif Railway P.S. Case No. 05 of 2016 registered under Sections 147, 148, 149, 323, 341, 379, 384 of the Indian Penal Code.

In view of this Court, the prosecution of the F.I.R can be quashed if the accusation does not constitute prima facie cognizable offence or the prosecution is barred under certain law. Hence, this Court is not inclined to interfere. Moreover the case was registered on 21.03.2016 but there is nothing on record to suggest the present stage of the case.

Accordingly the application is disposed of

with liberty to the petitioners to raise all the contentions after submission of the final report under Section 173(2) of the Cr.P.C.

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(Dinesh Kumar Singh, J)