

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 7029 of 2014

Arising Out of PS.Case No. -190 Year- 2009 Thana -BARACHATTI District- GAYA

=====

Sheonath Kumar Nirala Son of Sukar Paswan Resident of Village-
Nasirchak, P.S.-Mohanpur, District-Gaya.

.... Petitioner

Versus

1. The State of Bihar
2. Sudesh Paswan Son of Deodhari Paswan Resident of Village-Nasirchak,
P.S.-Mohanpur, District-Gaya.

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr.Adv.
Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Smt. Madhuri Lata (App)

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 29-07-2016 Heard Sri Krishna Prasad Singh, learned senior
counsel, who was assisted by Sri Bhaskar Shankar, learned
counsel for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner has approached this Court
invoking its inherent jurisdiction under Section 482 of the Code of
Criminal Procedure, with a prayer to quash an order dated
18-01-2014 passed by learned Additional Sessions Judge, F.T.C.-
II, Gaya in Sessions Trial No. 61 of 2013 [arising out of Barachatti
(Mohanpur) P.S. Case No. 190 of 2009] registered for the offence
under Sections 147, 149, 341, 323, 452, 307 & 380 of the Indian
Penal Code. By the said order, the petition filed on behalf of
petitioner under Section 228 of the Cr.P.C. was rejected.

Learned senior counsel for the petitioner tried to persuade the Court that on the basis of allegation made in the F.I.R. itself, no offence under Section 307 of the I.P.C. is made out and as such, it was a fit case for being remitted to the court of learned Magistrate, however; the learned Addl. Public Prosecutor opposing the prayer of petitioner submits that in the order impugned, there is no error.

Besides hearing, I have also perused the materials on record. On going through the impugned order, I do not find any ground to interfere with the impugned order.

The petition stands dismissed.

(Rakesh Kumar, J.)

Anay

U		T	
---	--	---	--