

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19988 of 2013

Arising Out of PS.Case No. -139 Year- 2010 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Vikash Singh @ Vikash Kumar , son of Shri Prabhat Singh
2. Prabhat Singh, son of Late Jagdeo Singh
3. Kundan Devi wife of Shri Prabhat Singh
4. Sapna Kumari daughter of Shri Prabhat Singh
All resident of village Basudeopur , Police station Begusarai Mufassil,
District Begusarai
5. Raj Kishore Singh, son of Late Bhagwan Singh
6. Usha Kumari wife of Shri Raj Kishore Singh
5 and 6 are resident of village Sihama P.O. Sihama, Police station Matihani,
District Begusarai

.... Petitioner/s

Versus

1 . The State of Bihar
2. Nutan Kumari daughter of Ram Prakash Rai, resident of village Rajaura,
Police Station Begusarai, Mufassil, District Begusarai

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra

For the Opposite Party/s : Mr. Satyendra Nr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5 21-11-2016 Heard Sri Umesh Kumar Mishra, learned counsel for

the petitioners, learned Additional Public Prosecutor as well as Sri

Sagar Suman, learned counsel who has appeared on behalf of the

informant /opposite party no. 2.

The petitioners, have prayed for quashing of an order
dated 28.1.2013 passed by the learned Chief Judicial Magistrate,
Begusarai, in Begusarai Mufassil P.S. Case No. 139 of 2010 in
which cognizance order was passed under Section 494 of the
Indian Penal Code. Earlier notice was issued to the informant /

opposite party no. 2 mainly after noticing Annexure –‘3’ i.e. final report however learned counsel appearing on behalf of the opposite party no. 2 has placed reliance on Annexure –‘4’ to the petition which is Charge Sheet No. 229 of 2012 dated 30.8.2012 whereby accused persons were forwarded to face trial under Section 494 of the Indian Penal Code .

In view of the fact that order of cognizance has been passed in confirmance with the police report , apparently there is no error warranting interference with the order of cognizance. If so advised, petitioners can raise all the points before the court below at appropriate stage.

The petition stands disposed of.

(Rakesh Kumar, J)

Praful/-

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