

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20668 of 2013

Arising Out of PS.Case No. -29 Year- 2010 Thana -SAKSOHRA District- PATNA

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Baby Rani Wife Of Viveka Yadav Resident Of Village Jalalpur, Police
Station Belchhi, District Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. Lal Devi Wife Of Dular Manjhi
Resident Of Village Bhawanchak, Police Station Saksohra, District Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Premchandra Yadav

For the Opposite Party/s : Mr. Pramod Kumar Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5 17-05-2016 Heard Sri Premchandra Yadav, learned counsel for the

petitioner , learned A.P.P. as well as Sri Sabal Kumar Jha, learned

counsel, who has appeared on behalf of the informant .

The present petition has been filed by the sole
petitioner under section 482 of the Code of Criminal Procedure
with a prayer to quash an order dated 8.6.2011 passed by the
learned Additional Chief Judicial Magistrate, Barh. By the said
order the learned Magistrate has taken cognizance of the offence
against the charge sheeted accused persons including the
petitioner who was shown innocent in the charge sheet.

Learned counsel for the petitioner by way of referring
to Annexure – 3 to the present petition submits that even the

informant had filed a petition before the court below to show that falsely case was got instituted against the petitioner and other accused persons.

Fact remains that police after investigation has submitted charge sheet against three accused persons, of- course petitioner was not sent up for trial, but the learned Magistrate after perusal of the case diary and F.I.R. has passed order and taken cognizance of offence and proceeded against all the accused persons including the petitioner.

Sri Sabal Kumar Jha, learned counsel for the informant submits that in the F.I.R. also there are materials to show involvement of the petitioner.

On going through the order impugned I do not find any ground for interference.

The petition stands dismissed

In view of dismissal of this petition interim order of stay dated 3.3.2016 stands vacated.

(Rakesh Kumar, J)

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