

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32445 of 2013

Arising Out of PS.Case No. -385 Year- 2009 Thana -ARA NAWADA District- BHOJPUR

Sunil Kumar , son of Dadan Mahto, resident of village Pakari P.S. Arrah
Nawada, District Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Anil Kumar , son of Kanhaiya Prasad, resident of village + P.O.
Banipali, P.S. Udwant Nagar, District Bhojpur at present resident of
Mohalla – Pakri, C/o Pramod Kumar, P.S. – Arah Nawada, district -
Bhojpur

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Akhilshwar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2 06-05-2016 Heard Sri Pramod Mishra, learned counsel for the
petitioner, learned Additional Public Prosecutor and Sri
Akhileshwar Prasad Singh, learned senior counsel who was
assisted by Sri Bimal Kumar, learned counsel for the informant/
opposite party no. 2.

The petitioner invoking inherent jurisdiction of this
court under section 482 of the Code of Criminal Procedure has
prayed for quashing of an order dated 16.4.2013 passed by learned
Judicial Magistrate 1st Class, Ara in connection with Ara
(Nawada) P.S. Case No. 385 of 2009/ G.R. No. 3807 of 2009

registered for the offence under section 384, 504, 323, 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that in the case initially main accusation was made against one Ranjit Kumar Singh that from his mobile demand of *rangdari* was made and after investigation though charge sheet was submitted against the petitioner at subsequent stage final report was submitted in favour of Ranjit Kumar Singh who was the main accused. According to learned counsel for the petitioner since main accused has already been exonerated there is no reason to proceed against the petitioner whereas learned counsel appearing on behalf of the informant submits that of -course police had exonerated the accused Ranjit Kumar Singh while submitting final report, the learned Magistrate differing with the police report has taken cognizance of offence against Ranjit Kumar Singh also. During investigation sufficient materials were collected only then the petitioner alongwith others were sent up for facing trial. He further submits that the learned court below even though there was no requirement for assigning reason while passing the impugned order has succinctly assigned reason.

Besides hearing, I have also perused the material available on record particularly the impugned order. On going

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

The petition stands dismissed.

(Rakesh Kumar, J)

Praful/-

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

