

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38073 of 2013

Arising Out of PS.Case No. -84 Year- 2010 Thana -LAUKHA District- MADHUBANI

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1. Pawan Devi @ Bauki Wife Of Sri Nageshwar Yadav Resident Of Village-Chichaudva, P.S.-Laukahi, District-Madhubani

.... Petitioner/s

Versus

1. The State Of Bihar
2. Daroga Lal Yadav Son Of Late Gudari Yadav Resident Of Village-Chichaudva, P.S.-Laukahi, District-Madhubani
3. Ganga Prasad Yadav Son Of Late Mishri Yadav Resident Of Village-Chichaudva, P.S.-Laukahi, District-Madhubani
4. Suraj Yadav Son Of Late Mishri Yadav Resident Of Village-Chichaudva, P.S.-Laukahi, District-Madhubani
5. Kusheshwar Yadav Son Of Late Awadhi Yadav Resident Of Village-Chichaudva, P.S.-Laukahi, District-Madhubani
6. Nand Lal Yadav Son Of Sri Daroga Lal Yadav Resident Of Village-Chichaudva, P.S.-Laukahi, District-Madhubani

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 11-02-2016

The petitioner seeks quashing of the order of cognizance dated 06.03.2013 passed in Laukahi P.S. Case No. 84 of 2010 by the Additional Chief Judicial Magistrate, Jhanjharpur to the extent that in his opinion allegations of 376 IPC were made out but the Court has taken cognizance only under Sections 341,323,324 and 354/34 of the Indian Penal Code.

Since the Court does not take cognizance of a particular offence but of the complaint as a whole, the application is disposed of

with direction to the Court below to consider the same at the appropriate stage as to what offence is made out and proceed accordingly.

Prakash/-

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(Anjana Prakash, J)