

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46482 of 2013

=====

1. Suman Rai son of Bishwanath Rai
2. Guddu Rai son of Bishwanath Rai
3. Rameshwar Rai son of Bindeshwari Rai
4. Sanjeet Rai son of Rajeshwar Rai
5. Deepak Rai son of Rajeshwar Rai
6. Rishi @ Rishikesh Rai son of Shankar Rai
All residents of Village-Pirapur, P.S.-Lalganj, District-Vaishali

.... Petitioners

Versus

1. The State of Bihar
2. Jawahar Rai son of Sarjug Rai, Resident of Village-Pirapur, P.S.-Lalganj,
District-Vaishali

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

For the Opposite Party/s : Mr. A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 15-07-2016 Heard learned counsel for the petitioners, learned

Addl. Public Prosecutor and Sri Rajesh Kumar, learned counsel,

who has appeared on behalf of Opp.Party no.2/informant.

Six petitioners, invoking inherent jurisdiction under

Section 482 of the Code of Criminal Procedure, have prayed for

quashing of an order dated 14.08.2013 passed by learned Adhoc

Additional Sessions Judge, Vaishali at Hajipur in Sessions Trial

No.127 of 2012 arising out of Lalganj P.S. Case no.130 of 2011.

By the said order, the petition filed on behalf of the petitioners

under Section 228 of the Code of Criminal Procedure has been

rejected.

Learned counsel for the petitioners, by way of referring to injury report, submits that injury report suggests that all the injuries were simple in nature and, as such, it cannot be a case of offence under Section 307 of the Indian Penal Code. It has been argued that the case is triable by the Magistrate not by the Court of Sessions, whereas learned Addl. Public Prosecutor and learned counsel for the informant, by way of referring to F.I.R., submit that the material suggests that there is some material showing application of Section 307 of the Indian Penal Code.

Besides hearing learned counsel for the parties, I have also examined the material available on record. I do not find any ground to interfere with the impugned order. The petition stands dismissed.

(Rakesh Kumar, J)

NKS/-

U			
---	--	--	--