

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41579 of 2013

Arising Out of PS.Case No. -95 Year- 2011 Thana -THAWE District- GOPALGANJ

=====

Ramjee Pandey Son of Late Jagadish Pandey Resident of Village - Chhoto
Brahmpur, P.S.-Bhagwan Bazar, Dist.-Saran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Naresh Dass, Advocate

For the Opposite Party/s : Mr. Veena Rani Prasad , APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGEMENT

Date: 11-08-2016

By way of the present application preferred under Section 482 of the Code of Criminal Procedure, the petitioner has challenged the order dated 22.06.2013 passed by the learned Chief Judicial Magistrate, Gopalganj in Trial No. 1318 of 2013, arising out of Thawe P. S. Case No. 95 of 2011 by which cognizance has been taken under Section 376/34 of the Indian Penal Code and the petitioner has been summoned to face the trial.

2. The petitioner is one of the named accused in the FIR wherein the allegation has been made that the petitioner and one another ravished the victim on 18th July, 2011 at about 8 pm. On completion of investigation, charge-sheet was

submitted by the police against the petitioner and co-accused Santosh Sah.

3. It would be evident from the order dated 22.06.2013 passed by the Chief Judicial Magistrate, Gopalganj that on perusal of the materials available on record, including the statements of witnesses recorded under Section 161(3) of the Code of Criminal Procedure the court found sufficient material to summon the accused persons to face trial under Section 376/34 of the Indian Penal Code.

4. I see no illegality in the impugned order whereby cognizance has been taken. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J.)

Kanchan/-

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