

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22279 of 2013

Arising Out of PS.Case No. -588 Year- 2012 Thana -KHAZANIHAT District- PURNIA

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Mani Bhushan Singh son of Gita Ram Singh residence of Village- Godiari,
P.S.- Bishanpura, District- Darbhanga

.... Petitioner/s

Versus

1. The State Of Bihar
2. Gyandeo Prasad Singh , son of Late Thakur Prasad Singh resident of
Village + Post- Golma, P.S.- Patharghar, District- Saharsa, At Present -
Adityapuri-1, Hariom Nagar Road No. 1, Plot No. 557, Jamshedpur,
Jharkhand

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s : Mr. Indra Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 11-03-2016 The petitioner, who was husband of the deceased has approached this court invoking its inherent jurisdiction under Section 482 of the Code of Criminal Procedure, with a prayer to quash an order dated 18.1.2013 passed in K. Hat (Sahayak) P.S. Case No. 588 of 2012. By the said order the learned Chief Judicial Magistrate, Purnea has taken cognizance of offence under Section 304(B) of the Indian Penal Code.

On perusal of the material on record it is evident that F.I.R. was lodged on the written report given by the father of the deceased making allegation against the petitioner, husband of the deceased and his brother. Police after investigation

submitted charge sheet. However, while submitting charge sheet police exonerated the second accused namely, Indu Bhushan Singh whereas petitioner was forwarded as accused.

Learned Magistrate after submission of the police report examined the record in detail and besides proceeding against the petitioner he also took cognizance of offences against the brother of the petitioner under Section 304(B) of the Indian Penal Code. On perusal of the impugned order the court is satisfied that there is no error warranting interference

The petition stands dismissed.

Let a copy of this order be sent to the court below forthwith.

(Rakesh Kumar, J)

Praful/-

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