

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50194 of 2013

Arising Out of PS.Case No. -580 Year- 2008 Thana -COMPLAINT CASE District- ARRARIA

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1. Jay Prakash Mandal Son of Baleshwar Mandal
 2. Mrityunjay Mandal Son of Late Brahmanand Mandal
 3. Md. Kamrujjama Son of Md. Jahan Ali
 4. Md. Ayub Alam @ Md. Aiyub Alam Son of Saidul Rahman
 5. Paithan Ali @ Md. Paithan Ali Son of Sudhan Mian
 6. Md. Jabul @ Md. Jiyarahman Son of Md. Paithan Ali

Petitioner nos. 3 to 6 are resident of Village - Dahuwabari, all of P.S.- Kursakanta, District - Araria

.... Petitioners

Versus

1. The State of Bihar.
2. Tilleshwar Paswan, Son of Late Mahabir Paswan Resident of Village - Dahuwabari,(Paswan Tola) P.S.- Kursakanta, District - Araria

.... Opposite Parties

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Appearance :

For the Petitioner/s : None

For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 23-06-2017

This application under Section 482 of the Code of Criminal Procedure has been filed for quashing of the order dated 06.01.2009 passed by the learned Judicial Magistrate-1st Class, Araria in Complaint Case No.580-C of 2008 whereby the petitioners have been summoned to face trial for the offence



punishable under Sections 323, 147 and 384 of the Indian Penal Code as also Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. I have perused the complaint, the statement of complainant made on oath and other materials brought on record. I find a prima facie case is made out against the petitioners both under the penal offences of the Indian Penal Code and Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. In that view of the matter, I see no illegality in the order impugned.

4. The application is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.06.2017
Transmission Date	24.06.2017

