

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4656 of 2015

Arising Out of PS.Case No. -119 Year- 1994 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Anil Pandey, Son of Late Gopalji Pandey
 2. Devnath Pandey, Son of Late Gopalji Pandey
 3. Gayatri Pandey Wife of Dev Nath Pandey All Resident of - I.T.I. Jail
Bakash Nagar, P.S- Bettiah (Muffasil), District - West Champaran.

.... Petitioners

Versus

1. The State of Bihar
2. Ramashis Chaudhary, Son of Late Parichhan Chaudhary Resident of
I.T.I. Jail Prakash Nagar, P.S- Bettiah (Muffasil), District - West
Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Kanhaiya Kishore(App)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 17-01-2017 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

This application has been filed under Section 482 of
the Cr.P.C. directed against the order dated 20.10.2014 passed
in Sessions Trial No. 54 of 2013 (arising out of Bettiah (Muffasil)
P.S. Case No. 119 of 1994), whereunder, the learned 3rd
Sessions Judge, Bettiah, West Champaran rejected the
application of the accused petitioner filed under Section 228 of
Cr.P.C. to transfer the case for trial by the Chief Judicial
Magistrate or any other Judicial Magistrate, 1st Class finding that
prima facie there is sufficient material to frame the charge under



Section 307 I.P.C. exclusively triable by Court of Sessions.

On going through the impugned order, I find no illegality to interfere with the same in extraordinary jurisdiction under Section 482 Cr.P.C. and accordingly the present application is dismissed. However, the petitioner would be at liberty to raise his points in trial Court at appropriate stage.

(Rajendra Kumar Mishra, J)

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