

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30137 of 2014

Arising Out of P.S.Case No. -17 Year- 2013 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

- =====
1. Rameshwar Pandey, son of Late Thakko Pandey,
 2. Laldeo Pandey, son of Rameshwary Pandey,
 3. Yashodhar Pandey, son of Rameshwar Pandey,
 4. Kailash Pandey @ Kailash Kumar Pandey, son of Rameshwar Pandey,
 5. Suman Kumar Pandey, son of Bauku Pandey,
 6. Bambhola Pandey, son of Late Thakko Pandey,
 7. Ramratti Devi, wife of Rameshwar Pandey,
 8. Sanju Devi, wife of Laldeo Pandey,
 9. Laleshwar Pandey, son of Bauku Pandey,
 10. Punam Devi, wife of Laleshwar Pandey &
 11. Mira Devi, wife of Suman Kumar Pandey, all are residents of village-
Rasiyari, Police Station-Ghanshyampur, District-Darbhang.

.... Petitioners

Versus

1. The State of Bihar &
2. Raj Kuamr Jha, son of Late Dhairya Nath Jha, resident of village-
Rasiyari, Police station-Ghanshyampur, District-Darbhang

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Girish Chandra Jha
For the Opposite Parties : Mr. Humayu Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 05-07-2017

Heard.

2. This is an application under Section 482 of the Cr.P.C. praying therein to quash the order dated 01.05.2013 passed by Sri Deshmukh, Judicial Magistrate, Ist Class, Biroul at Benipur (Darbhanga) whereunder cognizance under Sections 147, 323, 341, 379 and 384 of the IPC was taken against the petitioners.

3. It is alleged that on the date of occurrence, all the



petitioners surrounded the complainant and assaulted him by fists and slaps. They went at the *Darwaja* of the complainant and abused him and forcibly took his signature on Stamp Paper and snatched cash amount of Rs.500/- and a bicycle.

4. The complainant on solemn affirmation and his enquiry witnesses at the time of enquiry supported the allegation made in the complaint petition. The court below finding prima-facie case true, took cognizance of offence as stated above.

5. The defence of the petitioners that prior to the case of the complainant, they had filed complaint case against them will be taken into consideration at later stage. They will have opportunity to put their defence at the appropriate stage before the court below. The order has been passed on the basis of material on record.

6. In view of discussions made above, I do not find any merit in this application. This application is accordingly dismissed.

(Sanjay Kumar, J)

B.Kr./-

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