

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51208 of 2013

Arising Out of PS.Case No. -1771 Year- 2006 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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1. Rajendra Puri, son of Late Sammundari Lal Puri, Managing Director,
 2. Manov Puri, son of Rajendra Puri, Director,
Nil Kamal Pvt. Ltd. Unit No.1 Basti Mithu, Kapur Thala Road, Jalandhar-
[144002], Punjab.

.... Petitioners.

Versus

1. The State of Bihar.
2. Om Prakash Gupta, son of Dharma Nath Pd., Mohalla - Dharam Samaj
Chowk, P.S. Chitauni, District - East Champaran.

.... Opposite Parties.

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Appearance :

For the Petitioners : M/s. Ram Krishna Singh and Raghunath Singh,
Advocates.

For the State : Mr. Ajay Kumar Jha, A.P.P.

For the Opposite Party No.2 : Mr. Dhurendra Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 24-08-2017

Heard.

2. This application, under Section 482 of the Code of Criminal Procedure, is directed against the order dated 06.12.2006 passed in Complaint Case No.C1771 of 2006/Trial No.1246 of 2013, whereunder the court of the Judicial Magistrate, First Class, East Champaran, Motihari, summoned the four accused, named in the complaint petition, including the petitioners, on enquiry, under Section 204 of the Code of Criminal Procedure, finding prima facie case under Sections 420 and 120B of the Indian Penal Code.



3. The report regarding the present stage of the trial of the case, as called for vide order dated 09.01.2017 passed by a Bench of this Court, has been received from the court of the Chief Judicial Magistrate, East Champaran, Motihari, vide Letter No.143 dated 27.01.2017 from which it appears that in spite of issuing all the processes, the accused-petitioners did not appear before the court and after declaring the accused-petitioners absconders, the record is running for the evidence under Section 299 of the Code of Criminal Procedure.

4. On going through the impugned order, I find no illegality therein amounting to an abuse of the process of the court for interference with the same in an extraordinary jurisdiction of this Court under Section 482 of the Code of Criminal Procedure.

5. Accordingly, this application stands dismissed. However, the petitioners would be at liberty to raise their points, as raised herein, at the appropriate stage in the trial court.

(Rajendra Kumar Mishra, J)

P.S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.08.2017.
Transmission Date	25.08.2017.

