

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15708 of 2012

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1. Sanjay Kumar
2. Santosh Kumar
3. Jagdish Prasad son of Late Ram
4. Durga Devi W/o Jagdish Prasad Sah
5. Satyanarayan Prasad S/o Doma Sah all resident of Mohalla Shobhaganj,
P.S. Sasaram, Rohtas (Sasaram)

.... Petitioner/s

Versus

The State of Bihar & Anr.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Singh

For the Opposite Party/s : Mr. H.A.Khan (App)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 28-11-2017 The learned counsel for the petitioners has not
appeared.

Learned counsel appearing on behalf of O.P. No. 2 is
present.

Counter affidavit on behalf of O.P. No. 2 has been
filed. It is mentioned in Para-5 of the counter affidavit that charge
has already been framed for offence punishable under Sections
147, 323, 341, 448, 506, 149 of the Indian Penal Code against all
the petitioners and also for the offence under Section 379/34 IPC
against petitioner no. 1, 2 and 3.

From order dated 17.12.2014, it appears that further
proceeding of Sasaram (N) P.S. Case No. 323 of 2010 with respect
to the petitioners was stayed and, therefore, no progress has been



made in the trial, even after, framing of the charge.

In the facts and circumstances stated above this Court is not inclined to interfere with the impugned order of cognizance dated 07.10.2010 passed in Sasaram Town P.S. Case No. 323/10 corresponding to G.R. Case No. 1007/2010 passed by learned C.J.M., Ist Class, Sasaram (Rohtas).

Therefore, this criminal miscellaneous application is dismissed.

The court below is directed to proceed in the trial in accordance with law.

(Sanjay Priya, J)

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