

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31693 of 2013

Arising Out of PS.Case No. -882 Year- 2011 Thana -SAMASTIPUR COMPLAINT CASE District-SAMASTIPUR

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Ranjit Kumar son of Shri Hari Kant Prasad Singh , resisdent of Village Bhuswar,
P.S. Bibhutipur, District Samastipur

.... Petitioner/s

Versus

1. The State of Bihar
2. Shakuntala Devi W/o Shri Sita Ram, resident of Village Bhuswar, P.S.,
Bibhutipur, District Samastipur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the Opposite Party no.1 : Mrs. Sharda Kumari, APP

For the Opposite Party no.2 : Mr.Sushil Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 31-01-2017

Heard learned counsel for the parties.

2. This petition has been filed against the order dated 08.09.2012/10.09.2012 passed by learned Judicial Magistrate, 1st Class, Rosera in Complaint Case No. 882 of 2011/T.R.No. 2676 of 2012 by which the learned Magistrate after holding enquiry found prima facie case against the petitioner for the offences punishable under Sections 379 and 384 of the Indian Penal Code.

3. From the ordersheet, it appears that the case was fixed for hearing on 17.01.2017 but the case was adjourned to 23.01.2017. Today none appears on behalf of the petitioner. It further appears that on 09.01.2017 also time was taken by the learned counsel for the



petitioner.

4. Learned counsel for the opposite party no.2 and the learned APP are present.

5. From perusal of the impugned order and the materials available on the record it appears that the learned Magistrate after looking into the complaint petition and S.A. of the Complainant as well as the statements of the witnesses recorded during enquiry under Section 202 Cr.P.C. found prima facie case against the petitioner for offences punishable under Sections 379 and 384 of the Indian Penal Code. Therefore, this Court does not find any illegality in the impugned order passed by the learned Magistrate.

6. In the result, the present petition is dismissed. The court below will proceed with the case in accordance with law.

(Sanjay Priya, J)

Tahir/-

AFR/NAFR	
CAV DATE	
Uploading Date	03.02.2017
Transmission Date	03.02.2017

