

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47877 of 2014

Arising Out of PS.Case No. -21 Year- 2007 Thana -KINJAR District- PATNA

=====

1. Punam Devi Wife of Kartik Sharma resident of village- Jhunathi, P.S.- Kinjar,
District- Arwal
2. Raja Singh @ Raja Sharma
3. Sharwan Singh @ Sharwan Sharma @ Sharwan Kumar
Both Sons of Sudarshan Sharma Resident of village- Pariyawan, P.S.- Bikram,
District- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Anjani Devi Wife of Rajesh Sharma Resident of village- Jhunathi, P.S.- Kinjar,
District- Arwal

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Raj Dular Singh, Advocate.

For the Opposite Party/s : None.

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

Date: 13-10-2017

Heard learned counsel for the petitioners.

No one appears for the State.

Learned counsel for the petitioners assails the order dated 16.10.2014 passed by the learned Sessions Judge, Jahanabad in Sessions Trial No. 490/2013 by which the learned Sessions Judge has rejected the application of the petitioners for discharge. Learned counsel for the petitioners submits that for framing of charge under Section 307 IPC there must be some injury on the vital part of the body which is not present in this case. He also submits that earlier police had investigated the case and submitted a final form but the



learned Chief Judicial Magistrate, Jahanabad differed with the police report and took cognizance of the offence vide order dated 03.08.2011. He has attempted to assail even the order taking cognizance at this stage.

This Court has perused the records. A bare perusal of the First Information Report would show that there are specific allegations against the petitioners. The informant has alleged that she was pushed down from the roof of the house with an intention to kill which caused injuries on her body. The order impugned in the present case is a reasoned order in which the learned Sessions Judge has dealt with the ground for rejecting the application. The petitioners cannot be allowed to challenge the order taking cognizance collaterally in the present case.

The application has no merit. It is dismissed.

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	13.10.2017
Transmission Date	13.10.2017

