

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Revision No.820 of 2014

Arising Out of PS.Case No. -null Year- null Thana -null District- BANKA

=====

1. Akhtar Ansari Son of Lukman Ansari Resident of Village-Barganiya, P.S.-
Katoria, District-Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad

For the Respondent/s : Mr. Anil Kumar Singh No. I

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

JUDGMENT AND ORDER
ORAL

Date: 12.01.2017

Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor representing the State.

2. The petitioner is the informant of Katoria
(Suiya) Police Station Case No. 241 of 2013. He is aggrieved
by an order, dated 24.02.2014, passed by learned Chief
Judicial Magistrate, Banka, in connection with the said case,
whereby he has refused to take cognizance of offence
punishable under Section 307 of the Indian Penal Code, though
cognizance has been taken against other provisions of the
Indian Penal Code, namely, Sections 147, 149, 323, 324, 509
of the Indian Penal Code.

3. Learned counsel appearing on behalf of the



petitioner has submitted that the petitioner did receive injuries and a case under Section 307 of the Indian Penal Code was made out and accordingly the police, upon completion of investigation, had submitted charge sheet under Section 307 of the Indian Penal Code also. According to him, the Court below, in such circumstance, ought to have taken cognizance of the offence punishable under Section 307 of the Indian Penal Code.

4. I do not find any merit in such contention. Apparently, the petitioner is said to have received minor injuries. There is no material on record, which has been pointed out to demonstrate that the accused persons intended to kill the petitioner. In such circumstance, after having gone through the material on record, if learned Court below has refused to take cognizance of the offence punishable under Section 307 of the Indian Penal Code, I do not find any illegality, requiring interference by this Court in revisional jurisdiction.

5. This application is accordingly dismissed.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	12.01.2017
Transmission Date	12.01.2017

