

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9337 of 2014**

Arising Out of PS.Case No. -1438 Year- 2009 Thana -GAYA COMPLAINT CASE District- GAYA  
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1. Ameet Kumar Gupta @ Ameet Kumar Son Of Ashok Lal Gupta
2. Sujeet Kumar @ Sujeet Gupta, Son Of Ashok Lal Gupta
3. Ashok Lal Gupta @ Ashok Kumar M. Prasad, Son Of Late Madan Mohan Lal Gupta
4. Sadan Lal Gupta @ Sadan Bhai Gupta, Son Of Late Madan Mohan Lal Gupta
5. Madhuri Devi, Wife Ashok Lal Gupta
6. Pratima Devi, Wife Of Sadan Lal Gupta, All Residents Of Village- Sova, P.S. Wazirganj, District- Gaya

.... .... Petitioner/s

Versus

1. The State Of Bihar
2. Seema Devi, Wife Of Chandan Lal Gupta, D/O Chhote Lal Gupta, Resident Of Wazirganj Bazar, Mohalla- Bhareti, P.S. Wazirganj, District- Gaya

.... .... Opposite Party/s  
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**Appearance :**

For the Petitioner/s : Mr. Raghwanand  
For the Opposite Party/s : Mr. P.K. Panday (App)  
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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR**  
**ORAL ORDER**

9      24-07-2017                      Heard learned counsel for the petitioners, learned  
A.P.P. for the State and opposite party no.2.

This application under Section 482 Cr.P.C. has been  
filed by the petitioners challenging the order dated 29.07.2013  
passed by Sri Kumar Gunjan, Judicial Magistrate, 1st Class, Gaya  
in complaint Case No. 1438 of 2009 by which the learned  
Magistrate took cognizance under Sections 498(A), 323, 341, 504  
and 379 IPC against the petitioners.

Learned counsel for the petitioners submits that no



prima facie case under Sections 498(A), 323, 341, 504 and 379 IPC is made out.

Learned counsel for opposite party no.2 submits that out of seven prosecution witnesses, five witnesses have already been examined.

Having considered the fact that the trial is at fag end as only two prosecution witnesses out of seven remain to be examined in the case, so this application has become infructuous. Accordingly it is dismissed.

**(Arun Kumar, J)**

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