

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.183 of 2017

Arising Out of PS.Case No. -13 Year- 2016 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Ratnesh Tiwari @ Ratnesh Kumar Tiwari, Son of Ajay Tiwari
 2. Amrita Devi, Wife of Ratnesh Tiwari @ Ratnesh Kumar Tiwari
 3. Urmila Devi, Wife of Ajay Tiwari
- All residents of Village-Mahuidih, P.S. Ramnagar, District West Champaran at Bettiah.

.... Petitioners

Versus

1. The State of Bihar
2. Anu Kumari @ Annu Kumari, Wife of Nitesh Kumar Tiwari @ Nitish Kumar Tiwari, D/o- Nanhe Mishra, R/o Village-Mahuidih, P.S. Ramnagar, District West Champaran at Bettiah.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh
For the Opposite Party/s : Mr. Sri Jharkhandi Upadhyay

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 10-01-2017 This matter has been put up before me out of turn on the basis of mention slip filed on behalf of the petitioners.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

This petition under Section 482 of the Cr.P.C. has been filed for quashing the order dated 12.08.2016 passed by learned Sub Divisional Judicial Magistrate, Bagaha, West Champaran by which he took cognizance for the offences punishable under Sections 498(A), 323, 506/34 of the Indian Penal Code and Section 34 of D.P. Act.



Submission on behalf of the petitioners is that the learned Sub Divisional Judicial Magistrate has not assigned any reason for taking cognizance against the petitioners but I am not, at all, convinced with the aforesaid submission because police after due investigation, having found prima facie case true, submitted charge sheet and after submission of the charge sheet, the learned court below took cognizance passing impugned order which is in accordance with law.

Accordingly, this quashing petition stands dismissed on admission stage itself.

(Hemant Kumar Srivastava, J)

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