

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57886 of 2015

Arising Out of PS.Case No. -986 Year- 2013 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Rita Devi Wife of Tuntun Sah, daughter of late Narayan Sah Presently residing at
Mohalla Basdila Bazar, P.s Gopalganj, Dist Gopalganj.

.... Petitioner

Versus

1. The State of Bihar.
2. Tuntun Sah Son of Sri Bhulan Sah resident of Village Siswania, P.s Uchkagaon,
Distt Gopalganj.

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr.
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT
Date: 24-08-2017

This is the second attempt made by the petitioner for quashing the order dated 23.01.2014 passed by the learned Sub-divisional Judicial Magistrate, Gopalganj in Complaint Case No. 986 of 2013 by which the petitioner has been summoned to face trial for the offences punishable under Sections 323 and 379 of the Indian Penal Code.

2. Earlier, the application filed by the petitioner was dismissed as withdrawn, vide order dated 04.12.2014, passed in Cr. Misc. No. 37366 of 2014.

3. I have perused the complaint and the impugned order



passed by the learned SDJM.

4. It would be manifest from perusal of the record that the ingredients for the offences punishable under Sections 323 and 379 of the Indian Penal Code are attracted as against the petitioner. Moreover, there is no explanation as to why the earlier application was withdrawn and what necessitated the filing of second application. Furthermore, the impugned order was passed on 23.01.2014 and it is not known as to what is the present stage of trial.

5. The application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J.)

Kanchan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.08.2017
Transmission Date	NA

