

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34511 of 2015

Arising Out of PS.Case No. -138 Year- 2013 Thana -NAWANGAR District- BUXAR

- =====
1. Mintu Dubey @ Brahmchari Dubey son of Sri Awadh Bihari Dubey
 2. Awadh Bihari Dubey son of Late Chhabila Dubey
 3. Gopal Dubey son of Mintu Dubey
 4. Govinda Dubey son of Sri Awadh Bihari Dubey

All above petitioners are resident of village - Kadsar, P.S.- Nawanagar
(Sonversha O.P.) District- Buxar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Azad, Advocate
: Mr. Sadashiv Tiwari, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 13-11-2017

Heard learned counsel for the petitioners and learned
counsel for the State.

2. This application under Section 482 of the Code of Criminal Procedure (for short 'the CrPC') has been filed by the petitioners seeking quashing of the order dated 19.02.2014 passed in Navanagar P.S. Case No.138 of 2013 by which the learned Magistrate has taken cognizance of the offences punishable under Sections 341, 323, 324, 504/34 and 307 of the Indian Penal Code (for short 'the IPC') and summoned the petitioners to face trial.

3. The petitioners are named accused in Navanagar P.S.



Case No.138 of 2013. The allegations made in the FIR do attract ingredients of the offences under which cognizance has been taken. On completion of investigation, the police found the allegations to be true and submitted charge-sheet in the case. On perusal of the materials available on record and the police report submitted under Section 173(2) of the CrPC, the learned Magistrate found the prima facie case to be made for the offences punishable under Sections 341, 323, 324, 504, 307, 379 and 384/34 of the IPC and summoned the petitioners to face trial.

4. Having considered the materials on record, I see no illegality in the order impugned. Accordingly, the application is dismissed.

5. However, the petitioners would be at liberty to raise their grievance before the trial court at the stage of framing of charge.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
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