

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30766 of 2014

Arising Out of PS.Case No. -379 Year- 2008 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Rajesh Kumar Son of Ganga Prasad @ Ganga Sagar Prasad
2. Suresh Prasad Son of Ganga Prasad @ Ganga Sagar Prasad
3. Ganga Prasad @ Ganga Sagar Prasad Son of Janki Prasad All Resident
of village- Sirsa dighwa Dubauli Bazar, P.S.- Baikunthpur, District-
Gopalganj Petitioners

Versus

1. The State of Bihar
2. Dhanmati Devi Wife of Ramashankar Chaudhary Resident of village-
Sirsa Dighwa Dubauli Bazar, P.S.- Baikunthpur, District- Gopalganj
.... .. Opposite Parties

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Appearance :

For the Petitioners : Mr. Bijay Prakash Singh, Advocate
For the State : Mr. Murlidhar (APP)
For the opp .party no.2 : Mr.Prabhakar Nath Rai, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 11-10-2017 Counsel for the petitioners as well as other side are

present.

Petitioners have prayed for quashing order dated
2.9.2009, passed by the in Case no. C 379 of 2008/ Trial No.
1628/2014, whereby the Judicial Magistrate 1st class,
Gopalganj has taken cognizance of the offence under sections
420 IPC.

Counsel for the opposite party no.2 submits that the
discharge petition, moved by the petitioners before the trial
court, has subsequently been dismissed and charges have been
framed in the case.



Admittedly, the position today is that the trial has progressed in the court below. In view of the aforesaid development, this Court is not inclined to look into the correctness or otherwise of the allegations while exercising jurisdiction under section 482 of the Code of Criminal Procedure.

The Cr. Misc. application is thus dismissed.

(Madhuresh Prasad, J)

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