

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35453 of 2013

Arising Out of PS.Case No. -66 Year- 2011 Thana -SARAN COMPLAINT CASE District- SARAN
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1. Seraj Khan S/O Late Anwar Khan Resident Of Village- Bishunpur, Police Station- Balia Kotwali, District- Balia (Uttar Pradesh)
2. Maimun Khatoon W/O Late Anwar Khan Resident Of Village- Bishunpur, Police Station- Balia Kotwali, District- Balia (Uttar Pradesh)
3. Ibran Khan @ Imran Khan S/O Late Anwar Khan Resident Of Village- Bishunpur, Police Station- Balia Kotwali, District- Balia (Uttar Pradesh)

.... Petitioner/s

Versus

1. The State Of Bihar
2. Mosrat Khatoon D/O Idmohammad Resident Of Village- Manjhi Dumari, Police Station- Manjhi, District- Saran (Chapra)

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Kumar Birendra Narayan (App)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-01-2017 None appeared on behalf of the petitioners in spite of the fact that the case is running for several days and accordingly taken up for final order. However, learned counsel for the State is present.

In this case petitioners have challenged, the order of cognizance, dated 21.03.2012, passed by the learned Sub-Divisional Judicial Magistrate, Chapra, District- Saran in Complaint Case No. 66 of 2011, corresponding to Trial No. 1878 of 2013.

From perusal of the record, it appears that learned Court below after perusal of the complaint petition and materials



collected during the course of enquiry has *prima facie* found the case under Section 498A of the I.P.C., to be true against the petitioners and accordingly issued summons against them. It further appears from perusal of the petition itself that the case is pending for trial being Trial No. 1878 of 2013 as mentioned above.

In view of the facts stated above and the materials available on record, I am not inclined to interfere with the order impugned, accordingly instant petition is dismissed.

Learned Court below is directed to expedite the Trial.

(Vinod Kumar Sinha, J)

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