

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13044 of 2016

Arising Out of PS.Case No. -1038 Year- 2008 Thana -COMPLAINT CASE District- JAMUI

- =====
1. Uma Pandit son of Aghori Pandit.
 2. Thakur Pandit son of Sukar Pandit.
 3. Shyam Sunder Pandit son of Sukar Pandit.
 4. Ram Swaroop Pandit son of Sukar Pandit.
 5. Horil Pandit @ Darik Pandit son of Aghori Pandit.

All residents of village - Barajor, P.S. -Jhajha, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ayodhaya Das @ Jaggarnath Pandit son of Pokahan Pandit, resident of village- Barajor, P.S. Jhajha, District- Jamui.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore, Sr. Advocate
	:	Mr. Ugranath Mallik, Advocate
	:	Mr. Virendra Prasad, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 28-07-2017

This application under Section 482 of the Code of Criminal Procedure (for short 'the CrPC') has been filed for quashing of the order dated 15.03.2012 passed by the learned Chief Judicial Magistrate, Jamui in Complaint Case No.1038c of 2008 by which he has taken cognizance of the offence punishable under Section 364/34 of the Indian Penal Code.

2. Regard being had to the fact that the order impugned was passed on 15th March, 2012, that is more than five years ago, I am not inclined to entertain the present application.



3. In that view of the matter, the application is dismissed.

4. However, if the charges have not been framed against the petitioners till date, they would be at liberty to raise all the points available to them at the stage of framing of charge. In case of filing of any application under Section 202 of the CrPC by the petitioners, the court below shall look into the materials available on record and pass orders in accordance with law without being prejudiced in any manner by the order passed by this Court.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	29.07.2017
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