

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52654 of 2013

Arising Out of PS.Case No. -300 Year- 2013 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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Kamta Thakur Son Of Late Bisun Kahar Resident Of Vill. - Shivpur
Chituli, P.S. Sasaram (M), Distt. - Rohtas

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s : Mr. Prem Kumar Jha (App)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-01-2017 Nobody appears on behalf of the petitioner. On the last occasion also, nobody appeared on behalf of the petitioner, as such vide order dated 20.01.2017, the case was directed to be listed today with condition that if on that day also, nobody appears, the case will be decided on its own merit.

In this case, from perusal of the record, it appears that the petitioner has challenged order dated 15.06.2013 passed by the learned C.J.M., Sasaram, Rohtas, by which the learned court below took cognizance under Section 302 of the Indian Penal Code in connection with Sasaram (M) P.S.Case No.300 of 2013.

It further appears that a case under Section 302 of the Indian Penal Code has been lodged against the petitioner for causing murder of his wife and on the basis of which, Sasaram



(M) P.S. Case No.300 of 2013 was instituted against the petitioner and the police, after investigation, submitted charge-sheet against the petitioner and on the basis of which, vide order dated 15.06.2013 passed by the C.J.M., Sasaram, Rohtas, cognizance was taken against the petitioner under Section 302 of the Indian Penal Code and the aforesaid order dated 15.06.2013 has been challenged by the petitioner in the present case.

Heard learned A.P.P. also, who opposes the application of the petitioner, stating that after submission of the charge-sheet, the learned C.J.M., Sasaram, Rohtas has taken cognizance against the petitioner and there is no illegality in the order.

As I have stated above, no one appears on behalf of the petitioner.

From perusal of the petition, it appears that only ground taken by the petitioner is that he has been implicated in this case by the informant just to save kin of the real culprit.

In view of the materials available on the record, I found no illegality in the impugned order dated 15.06.2013 passed by the C.J.M., Sasaram, Rohtas.

Hence, this application is dismissed.

(Vinod Kumar Sinha, J)

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