

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44392 of 2014

Arising Out of PS. Case No.-42 Year-2013 Thana- MAHILA PS District- Jehanabad

1. Akhilesh Prasad , son of Umesh Prasad
2. Suresh Prasad, son of Late Dhrupat Prasad
3. Kamlesh Prasad , son of Umesh Prasad
4. Umesh Prasad , son of Suresh Prasad
5. Panpatia Devi wife of Umesh Prasad
6. Mithilesh Prasad son of Umesh Prasad
All residents of village Bibipur , Police Station – Kako, District – Jehanabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukul Prasad

For the Opposite Party/s : Mr. Rajendra Singh Shastri Ji (APP)

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 08-09-2017 The present petition was filed under section 482 of the Code of Criminal Procedure, 1973 with a prayer to quash an order, which was passed on 26.08.2014 by learned Judicial Magistrate Ist Class, Jehanabad (hereinafter referred to as “Magistrate”) . By the said order after submission of charge -sheet against the accused persons for offence under Section 304(B)/ 201/ 34 of the Indian Penal Code 1860 (hereinafter referred to as “IPC”) the learned Magistrate has taken cognizance of offences.

Sri Rajendra Singh Shastri, learned Additional Public Prosecutor submits that in the case after thorough investigation charge -sheet was submitted and the learned Magistrate on the



basis of materials available on record , which shows commission of offence under section 304(B) of the IPC has passed order of cognizance, which requires no interference.

I have perused the materials available on record including the F.I.R., charge -sheet and impugned order. Considering the fact that in the order impugned there is no apparent error warranting interference, the petition stands dismissed.

(Rakesh Kumar, J)

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