

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.846 of 2017

Arising Out of PS.Case No. -null Year- null Thana -null District- SARAN

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Hema Singh @ Hemanti Singh, Wife of Brajesh Kumar Singh, resident of Mohalla
Rajendra Sarowar, Power House Colony, P.S. Chapra Town, District Saran

.... Petitioner

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Petitioner : Mr. Ujjwal Kumar Mishra, Advocate

Mr. Dharendra Kumar, Advocate

For the State : Mr. Rajballabh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL JUDGMENT

Date: 06-10-2017

Heard learned counsel for the petitioner and the learned
Additional Public Prosecutor appearing on behalf of the State.

2. This criminal revision application is directed against
order dated 14.06.2017, passed by learned Additional Sessions Judge-
II, Saran, Chapra in Sessions Case No.172 of 2017, arising out of
Bhagwan Bazar P.S. Case No.56 of 2016 whereby the petition filed
under Section 228 Cr.P.C. has been rejected.

3. Learned counsel for the petitioner submits that no
prima facie case under Section 302 of the Indian Penal Code is made
out rather it is a case under Section 304(A) of the Indian Penal Code
whereas the learned Additional Public Prosecutor appearing on behalf
of the State submits that there is allegation that all accused persons
assaulted on the head of the deceased with cricket wicket causing his



death.

4. Having considered the rival submissions of both sides and on perusal of the records, this Court does not find any illegality in the impugned order. A prima facie case under Section 302 of the Indian Penal Code is made out and not under Section 304(A) of the Indian Penal Code.

5. In the result, the criminal revision application stands dismissed.

(Arun Kumar, J.)

S.Kumar/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.10.2017
Transmission Date	10.10.2017

