

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29940 of 2014

Arising Out of PS.Case No. -31 Year- 2014 Thana -PATLIPUTRA District- PATNA

- =====
1. Mukesh Kumar Singh S/o - Late Hari Kishore Prasad Singh Resident of House No. 260, Patliputra Colony, Patna, P.S. - Paliputra, Distt. - Patna.
 2. Sanjeev Kumar S/o - Radheshyam Pal Resident of House No. 260, Patliputra Colony, Patna, P.S. - Paliputra, Distt. - Patna.

.... Petitioners

Versus

1. The State of Bihar
2. Malo Devi Wife of Ramesh Pandit Resident of Village - Gosaitola, Laxmi Market, P.S.-Patliputra, Distt. - Patna.

.... Opposite Parties

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Appearance :

For the Petitioners	:	Mr. Digvijay Kumar Ojha, Advocate
For the Opposite Party No.2	:	Mr. Vibhuti Ranjan Sonvadra, Advocate
For the State	:	Akhileshwar Dayal, APP.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL JUDGMENT

Date: 12-07-2017

Heard.

2. This is an application under Section 482 of the Cr.P.C praying therein to quash the order dated 19.05.2014 passed by Judicial Magistrate, Ist Class, Patna in G.R.No.263 of 2014 arising out of Patliputra P.S.Case No.31 of 2014 .

3. The learned counsel for the petitioners submits that there is delay of five days in lodging the FIR. The allegation of assault and snatching chain is omnibus. The informant has not annexed any paper to show that her husband had given any money to the petitioners to promote his business. The money was allegedly given



by the husband of the informant but he has not lodged the case. The Magistrate has taken cognizance without discussing the material on record and so the same is fit to be quashed.

4. Learned APP opposed the submissions.

5. On perusal of the written report as well as the impugned order, it is evident that these petitioners are named in the FIR and specific allegation is that when the informant demanded money given by her husband, they assaulted and abused the informant. The matter was enquired into by the police and charge sheet was submitted against the petitioners. The Magistrate after going through the record found sufficient material against the petitioners and accordingly took cognizance under Sections 406, 379, 354 and 504 of the IPC.

6. In view of the above facts, I do not find any merit in this case. Accordingly, this criminal miscellaneous application is dismissed.

(Sanjay Kumar, J)

B.Kr./-

AFR/NAFR	NAFR
CAV DATE	
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