

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43671 of 2014

Arising Out of PS.Case No. -130 Year- 2001 Thana -SAHARSA District- SAHARSA

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Anita Jha Wife of Rama Jha Resident of Village - Chainpur, P.S.- Bangaon,
Distt. - Saharsa, At Present Residing at Batraha, Ward No. 2, P.S. & Distt. -
Saharsa.

.... Petitioner

Versus

1. The State of Bihar
2. Rajiv Jha Son of Kritinath Jha Resident of Mohalla - Krishna Nagar,
Batraha, P.S. - Saharsa, Distt. - Saharsa.
3. Nilam Jha W/o - Kirtinath Jha Resident of Mohalla - Krishna Nagar,
Batraha, P.S. - Saharsa, Distt. - Saharsa.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha

For the Opposite Party/s : Mr. Surendra Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 09-10-2017 Heard learned Counsel for the petitioner as well as the
learned Counsel appearing for the State.

The petitioner seeks setting aside of order dated 5.6.2014
passed by the Adhoc Additional Sessions Judge, Saharsa, whereby the
accused persons of the case, O.P. Nos. 2 and 3, were discharged from
Section 307 of the IPC.

Learned Counsel for the petitioner submits that though the
injury is stated to be simple in nature but as a consequence of the
injury she received, she was admitted in PMCH for several days and
the report was filed with the protest petition.

However, on perusal of the impugned order itself as well as
considering the facts of the case, this Court finds that there is no



sufficient material for framing of the charge under Section 307 of the IPC against the accused persons. I do not find any illegality or infirmity in the impugned order for setting it aside.

Finding no merit in this application, it is dismissed.

(Arun Kumar, J.)

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