

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33121 of 2016

Arising Out of PS.Case No. -62 Year- 2005 Thana -ROH District- NAWADA

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Rajeev Ranjan Kumar @ Surendra Beyas @ Rajeev Ranjan @ Surendar @
Surendra Nath, Son of Late Jagdish Yadav, Resident of Village:-
Kashdihara, P.S- Roh, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mahendra Yadav, son of Ragho Yadav,
3. Karyanand Prasad son of Rameshwar Prasad, Opposite Party No. 2 &
3 Resident of Village:- Sheikhpura, P.S-Roh, District- Nawada.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the State : Mr. J. N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-05-2017 Heard learned counsels for the petitioner and the

State.

The present application has been filed for quashing of
the order dated 15.12.2010, passed by the learned CJM, Nawada,
in connection with Roh P.S. Case No.62/2005, wherein, process
has been directed to be issued after cognizance being taken for the
offences punishable under sections 182 and 211 IPC.

It is submitted by learned counsel for the petitioner
that the investigation was misdirected and in spite of protest
petition being filed, the accused were let off and instead the
petitioner has been proceeded against.



In view of this Court, at the stage of exercising jurisdiction under Section 190(1)(b) of the Code of Criminal Procedure, the court has only to be satisfied that the *prima facie* case is made out.

Moreover, for quashing of the impugned order dated 15.12.2010, the present application has been preferred on 04.05.2016 and there is nothing on record to suggest the present stage of trial, this Court is not inclined to interfere.

In the circumstances, this application is disposed of with liberty to the petitioner to raise all the contentions at the appropriate stage of proceeding.

(Dinesh Kumar Singh, J)

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