

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15724 of 2013

Arising Out of PS.Case No. -1374 Year- 2003 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Ram Kishun Yadav, Son of Late Baldeo Gope, Resident of Village- Gopalpur, P.S.- Sabour, District- Bhagalpur.

2. Md. Haleem, Son of Shiekh Sardali, Resident of Village- Gopalpur, P.S.- Sabour, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Devendra Prasad Yadav, Son of Late Keshav Prasad Yadav, Resident of Village- Karela, P.S.- Nath Nagar, District- Bhagalpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Nath Jha, Advocate.
Mr. Chandra Shekhar Sharma, Advocate.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL JUDGMENT
Date: 27-02-2017

Heard learned counsel for the petitioners and the
learned counsel for the State.

2. This application, under Section 482 of the Code of Criminal Procedure, is directed against the order dated 11.02.2013 passed in Complaint Case No. 1374 of 2003, whereby the Judicial Magistrate Ist Class, Bhagalpur, summoned the accused-petitioners, on inquiry, under Section 204 of Cr.P.C., finding the prima facie case, under Sections 420 and 120B of the Indian Penal Code.

3. On going through the impugned order, I find no
illegality in the impugned order amounting to abuse of the process of



the court for interference in inherent jurisdiction under Section 482 of the Code of Criminal Procedure.

4. Accordingly, this application is dismissed. However, the petitioners would be at liberty to raise their defence/points in trial court at the appropriate stage.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

AFR/NAFR	
CAV DATE	
Uploading Date	01.03.2017
Transmission Date	01.03.2017

