

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43451 of 2013

Arising Out of PS.Case No. -118 Year- 2010 Thana -NAWANGAR District- BUXAR

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1. Kameshwar Sharma Son Of Chandrama Sharma Resident Of Village -
Dihri, P.S.-Nawanagar, District - Buxar
2. Girdhari Sharma Son Of Chandrama Sharma Resident Of Village - Dihri,
P.S.-Nawanagar, District - Buxar

.... Petitioners

Versus

1. The State Of Bihar
2. Bechu Singh son of Lae Bal Dev Singh, R/o village- Dehri, P.S.-
nawanagar (Sonbarsa O.P.), District- Buxar

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Soni Shrivastava

For the Opposite Party/s : Mr. Anuj Kr.Srivastava (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

5 13-04-2017 This Criminal Miscellaneous application has been filed for quashing the order dated 08.03.2013 passed by learned Judicial Magistrate Ist Class, Buxar in G.R. No. 1887 of 2010 / Tr. No. 2633 of 2013 arising out of Nawanagar (Sonbarsa) P.S. Case No. 118 of 2010 in the matter of State Vrs. Kameshwar Sharma & Ors. whereby and whereunder the learned court below has framed the charges against the petitioners for the offences under Sections 365, 346 and 347 of the Indian Penal Code.

Heard learned counsel for the petitioners, learned APP for the State and perused the order dated 08.03.2013.

On behalf of the petitioners it is submitted that the trial is going on and up-till now 5-6 prosecution witnesses have already



been examined and trial is likely to be concluded very soon.

Learned Magistrate after considering the materials collected during investigation has framed the charges against the petitioners. At the time of framing of charge the court is required to see as to whether on the basis of material collected during investigation charges can be framed or not, at this stage, the defence of the accused persons are not required to be looked into.

Learned Magistrate has rightly passed the impugned order and there is no illegality, incorrectness and impropriety in the same. In the result, this Criminal Miscellaneous application is hereby dismissed.

(Jitendra Mohan Sharma, J)

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