

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51378 of 2014

Arising Out of PS.Case No. -88 Year- 2012 Thana -PARAIYA District- GAYA

- =====
1. Rita Barnwal @ Reeta Barnwal, W/o Niranjn Kumar @ Niranjn Paswan @ Niranjn Kr. Paswan,
 2. Niranjn Kumar @ Niranjn Paswan @ Niranjn Kr. Paswan, S/o Babulal Paswan, both are residening at Ram Bhawan, Police Station Civil Line, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 11-12-2017

This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 26.07.2013 passed by the Chief Judicial Magistrate, Gaya, in Paraiya P.S. Case No.88 of 2012 by which learned Magistrate has taken cognizance against the petitioners and others for the offence under Section(s) 147, 148, 149, 353, 307, 337, 338, 427 Indian Penal Code and Section 25 (1-B)a, 26, 27, and 35 of the Arms Act.

From the impugned order, it appears that the police after investigation has submitted charge-sheet against these petitioners and others vide supplementary charge-sheet no.66/13 dated 19.07.2013. The Court below by the impugned order has taken cognizance



against the petitioners and other accused as named in the supplementary charge-sheet for the offence under Section(s) 147, 148, 149, 353, 307, 337, 338, 427 Indian Penal Code and Section 25 (1-B)a, 26, 27, and 35 of the Arms Act.

This Court does not find any illegality in the impugned order passed by the learned Court below.

Accordingly, this application is dismissed.

However, liberty is given to the petitioners to raise all the points as raised in the present application before the Court below at the time of framing of Charge, which shall be considered and disposed off by the Court below in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

J.Alam/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	13-12-2017
Transmission Date	13-12-2017

