

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53955 of 2013

Arising Out of PS.Case No. -41 Year- 2013 Thana -RANIGANJ District- ARRARIA

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1. Nirpendra Kumar Jha @ Bhulan Jha @ Chand Kumar Jha S/O Sita Ram Jah Resident Of Village Parsa Hat Tola Terhi, Police Station Raniganj, District Araria.
 2. Surendra Jha S/O Sita Ram Jha Resident Of Village Parsa Hat Tola Terhi, Police Station Raniganj, District Araria.

.... Petitioner/s

Versus

1. The State Of Bihar.
2. Archana Kumari W/O Satyadeo Poddar Resident Of Village Parsa Hat, Police Station Raniganj, District Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana
For the Opposite Party/s : Mr. Amit Kr. Rakesh (App)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-04-2017 The instant criminal miscellaneous application has been filed against the order dated 19.11.2013 passed by learned Sessions Judge, Purnea Camp at Araria in Criminal Revision No. 60/471 of 2013, by which he has rejected the revision application filed by the petitioners against the order dated 11.09.2013 passed by Chief Judicial Magistrate, Araria in G.R. Case No. 537 of 2013, arising out of Raniganj P.S. Case No. 41 of 2013, whereby Chief Judicial Magistrate has taken cognizance for the offences under Sections 366A, 376, 323, 506/34 of the Indian Penal Code against the petitioners and others.

Learned Sessions Judge has stated in the



impugned order that the matter was investigated by the police who submitted charge-sheet for the offence under Sections 366A, 376, 323, 506/34 of the Indian Penal Code. The informant in her statement under Section 164 Cr.P.C has also supported the allegation of rape against the petitioners.

The Court below is only required to see the prima facie case at the time of taking cognizance.

In such circumstance, this Court does not find any illegality in the impugned order dated 19.11.2013 passed by learned Sessions Judge, Purnea Camp at Araria in Criminal Revision No. 60/471 of 2013.

This quashing application is, accordingly, dismissed.

(Sanjay Priya, J)

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