

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52747 of 2013

Arising Out of PS.Case No. -52 Year- 2013 Thana -BUXAR District- BUXAR

=====

1. Sanjeev Singh Son Of Dinesh Singh Resident Of Village- Charitarwan
M.V. College, P.S. Buxar (Town), District- Buxar

2. Ranjeet Singh Son Of Dinesh Singh Resident Of Village- Charitarwan
M.V. College, P.S. Buxar (Town), District- Buxar

.... Petitioner/s

Versus

1. The State Of Bihar

2. Chandra Shekhar Saha Son Of Late Yamuna Prasad Resident Of Village-
194, Suyapuri, Shitla Tola, P.S.- Arrah (Town), District- Bhojpur

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar @ Dr. Amrendra Kumar
Mr. Ravi S. Pankaj

For the Opposite Party/s : Mrs. Gulnar Begam (App)

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-01-2017 After some argument, it has been informed by the

petitioners that at present even charge has not been framed in

this case.

The petitioners have challenged order dated 19.8.2013
passed by the C.J.M., Buxar passed in G.R.No.317 of 2013 arising
out of Buxar (Town) P.S.Case No.52 of 2013, whereby cognizance
has been taken for offences under Sections 341, 323, 385, 504/34
of the Indian Penal Code.

The present case of petitioners is that in this case, the
police, after investigation, has submitted charge-sheet against



the petitioners under Sections 341, 323, 385, 504/34 of the Indian Penal Code but not under Section 384 of the Indian Penal Court and the learned Magistrate without showing any reason has taken cognizance under Section 384 of the Indian Penal Code also, as such the order taking cognizance is bad in law, as no reason has been assigned.

Heard learned A.P.P. also.

Having heard both sides. In view of the facts that in this case, charge-sheet has not been framed, as such the petitioners may raise all these points at the time of framing of the and the court below on perusal of the materials available on record and after hearing the parties, will dispose of the application filed by the petitioner with a reasoned order.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

