

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37787 of 2012

Arising Out of PS.Case No. -1009 Year- 2012 Thana -null District- NAWADA

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Ranjeet Kumar S/O Sri Chandrabali Sharma R/O Vill-Baktiarpur, P.O.+P.S.-
Baktiarpur, Distt-Patna, Presently S.H.O. Of Nardiganj, P.O.+P.S.-Nadriganj,
Distt-Nawada

.... Petitioner/s

Versus

1. The State Of Bihar
2. Sunil Ram @Guletan S/O Late Ramji R/O Vill-Pandpa, P.S.-Nardiganj, Distt-
Nawada

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Sewak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 28-11-2017

Counsel for the petitioner has appeared.

From the order-sheet, it appears that notice is validly served
on Opposite Party no. 2, but none appeared on behalf of the Opposite
Party no. 2.

This Cr. Misc. case has been filed against order dated
27.08.2012 passed by the Chief Judicial Magistrate, Nawada by which
the court below after holding enquiry found prima facie case against
the petitioner under Sections 323 and 504 of the Indian Penal Code.

It is alleged in the complaint petition that this petitioner
called the complainant at the police station along with his wife and
son. When they reached at the police station, this petitioner abused the



complainant and told that you have killed your daughter and have falsely implicated another person. It is further alleged that the petitioner asked the complainant that if he will give information in the court, against the persons named in the complaint petition, in that event, petitioner will submit charge-sheet against the complainant and his wife. The complainant and his wife made request to the petitioner not to abuse, but the petitioner gave threat to them and told them to go out of the police station. The learned Magistrate has after holding enquiry, on the basis of solemn affirmation of the complainant and the statement of witnesses recorded during enquiry, found prima facie case against this petitioner under Sections 323 and 504 of the Indian Penal Code. The learned Magistrate is required only to see prima facie case at the time of taking cognizance.

This court does not find any illegality in the impugned order. The court below will proceed in the trial in accordance with law. Accordingly, the petition stands dismissed.

(Sanjay Priya, J)

Vinita/-

.AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.12.2017
Transmission Date	11.12.2017

