

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22415 of 2013

Arising Out of PS.Case No. -1220 Year- 2012 Thana -COMPLAINT CASE District- SUPAUL

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1. Ram Chandra Yadav S/O Late Sunder Yadav Resident Of Village- Laund Ward No. 7, P.S. + District- Supaul
 2. Garib Das S/O Late Sunder Yadav Resident Of Village- Laund Ward No. 7, P.S. + District- Supaul
 3. Mahendra Yadav S/O Garib Das Resident Of Village- Laund Ward No. 7, P.S. + District- Supaul
 4. Mina Devi W/O Devnarayan Sah Resident Of Village- Laund Ward No. 7, P.S. + District- Supaul
 5. Devnarayan Sah S/O Late Shibu Sah Resident Of Village- Laund Ward No. 7, P.S. + District- Supaul
 6. Kharkan Chaudhary S/O Late Agrichan Chaudhary Resident Of Village- Nawtol (Kariho) Ward No. 7, P.S. + District- Supaul
 7. Rajeshwar Prasad Singh Son Of Late Shivjee Prasad Singh Resident Of Village- Chakla Nirmali, Ward No. 7, Nagar Parishad Supaul, P.S. + District- Supaul
 8. Binay Kumar Singh Son Of Late Shivjee Prasad Singh Resident Of Village- Chakla Nirmali, Ward No. 7, Nagar Parishad Supaul, P.S. + District- Supaul
 9. Saurabh Kumar Singh @ Saurabh Kumar S/O Binay Kumar Singh Resident Of Village- Chakla Nirmali, Ward No. 7, Nagar Parishad Supaul, P.S. + District- Supaul

.... Petitioner/s

Versus

1. The State Of Bihar
2. Manish Kumar Singh Son Of Mahavir Prasad Singh Resident Of Village- Chakla Nirmali, Ward No. 7, P.S. + District- Supaul

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Raj Kishor Singh, 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 25.03.2013 passed by the Judicial Magistrate, 1st class, Supaul, in Complaint Case No.1220-C of 2012 by which the learned Magistrate



after holding enquiry has found prima facie case against the petitioners for the offence under Section(s) 120-B, 420, 467, 468 Indian Penal Code.

2. There is allegation in the complaint petition that complainant and his brother were residing abroad. In the meantime the accused persons by conspiracy sold his land. All the accused persons made interpolation in Khata No. 1, Kheshra No. 7880 and 7887 and made it as 4887 and thereafter, they sold the aforesaid land to several persons although that land came in possession of the father of the complainant.

3. The court below after holding enquiry has found prima facie case against the petitioners under Section(s) 120-B, 420, 467, 468 Indian Penal Code

4. After perusal of the impugned, this Court does not find any illegality in the impugned order. At the time of taking cognizance, the Court below is required to see only prima facie case against the accused persons.

5. In view of such, the application is dismissed.

6. However, liberty is given to the petitioners to raise all the points as raised in the present application at the time of framing of Charge in the Court below, which shall be considered and disposed



off by the Court below in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

khushbu/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	02.01.2018
Transmission Date	02.01.2018

