

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5714 of 2016

Arising Out of PS. Case No.-1131 Year-2014 Thana- PATNA COMPLAINT CASE District-
Patna

- =====
1. MD. JAMIL AKHTAR @ JAMIL AHMAD
 2. Md. Shamim Ansari
 3. Md. Nasim Ansari All Sons of Manobbar Ali
 4. Reyama Rozi, daughter of Md. Shamim
 5. Rakiya Khatoon, Wife of Md. Shamim
 6. Munna Ansari
 7. Sonu Ansari
 8. Chunnu Ansari All sons of Md. Shamim Ansari
 9. Khairunisha, wife of Md. Jamil Akhtar All are residents of village- Garahani, P.S.- Charpokhari, District- Bhojpur (Ara)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabana Khatoon, Daughter of Shamsher Alam, Resident of village- Sigori, P.S.- Sigori, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra
For the Opposite Party/s : Mr. Tapeswar Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 05-10-2018 Heard learned counsel for the petitioners as well as

learned Additional P.P.

Learned counsel for the petitioners has submitted that evidence before charge is going on. The order of cognizance is under challenge in the present petition which, on account of changed stage of the trial, has become irrelevant as, now the matter in terms of Section 245 or 246 CrPC is to be considered whereupon, the instant petition has become infructuous and is accordingly, dismissed.



However, the petitioners will be at liberty to raise such plea at that stage which the learned lower court will consider in accordance with law.

(Aditya Kumar Trivedi, J)

mrl./-

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