

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46325 of 2014

Arising Out of PS.Case No. -342 Year- 2013 Thana -MAHARAJGANJ District- SIWAN

- =====
1. Amarjeet Singh
 2. Nemtu Singh @ Lemtu Singh Both Sons of Gauri Shankar Singh
Residents of Village - Jagdishpur, Police Station - Maharajganj, District
- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anjani Devi Wife of Late Kamakhiya Singh, Resident of Village -
Takkipur, Police Station - Maharajganj, District - Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Javed Aslam, Advocate
For the Informant	:	Mr. Sanjeev Nikesh, Advocate
For the State	:	Mr. Aslam Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 05-03-2018 The petitioners have challenged the order dated 11.06.2014 passed by the learned Chief Judicial Magistrate, Siwan in Maharajganj P.S. Case No. 342 of 2013 whereby cognizance has been taken against the petitioners under Section 302/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that the petitioners were not named in the F.I.R. The police, after investigation did not also send the petitioners for facing trial. However, the learned Magistrate, differing with the police report, has taken cognizance against the petitioners as well along with other accused persons.



Perused the case diary. Paragraphs 6, 7 and 8 of the case diary contain materials against the petitioners.

There is thus no reason for the order of cognizance to be interfered with in a case instituted under Section 302 I.P.C where there are definite materials against the petitioners in the investigation papers.

The petition is, therefore, dismissed.

(Ashutosh Kumar, J)

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