

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16342 of 2014

Arising Out of PS.Case No. -93 Year- 2012 Thana -SONBERSA District- SITAMARHI

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1. Musmat Sakila Khatoon Wife Of Late Iliyas Ansari
2. Julfekhar Ali Son of Late Iliyas Ansari Both Are Resident Of Village-
Murhadih, Police Station- Kanhouli, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar Singh

For the Opposite Party/s : Mr. Narendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 04-01-2018 The petitioners have challenged the order dated 08.11.2012 passed by the learned Chief Judicial Magistrate, Sitamarhi in connection with Sonbarsa P.S. Case No. 93/2012, whereby cognizance has been taken against the petitioners under Sections 406 and 420 of the Indian Penal Code.

The petitioners are alleged to have sold a portion of land to the informant/opposite party no. 2, even though, the land was earlier sold to one Ram Prakash Rai.

Mr. Upendra Kumar Singh, learned counsel for the petitioners has submitted that the police after investigation submitted final report false and held the dispute to be of civil nature. However, learned Chief Judicial Magistrate, Sitamarhi, differing with the police report, took cognizance against the



petitioners under Sections 406 and 420 of the Indian Penal Code.

No good ground has been made out for interfering with the aforesaid order of cognizance.

The petitioners, if so advised, can approach the court below and seek remedy available to them under the law at the appropriate stage.

With the aforesaid direction, the petition is disposed off.

(Ashutosh Kumar, J.)

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