

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3417 of 2016

Arising Out of PS.Case No. -2129 Year- 2011 Thana -SIWAN COMPLAINT CASE District-SIWAN

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Sanjay Kumar Singh, son of late Chandeshwar Singh, resident of village-Ujain,
P.S.-Daraunda, District-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar &
2. Shashi Ranjam Singh, son of late Paras Nath Singh, resident of village-Ujain,
P.S.-Daraunda, District-Siwan, presently resident of South Gandhi Maidan,
Near CJM Court, Siwan, P.S.-Siwan, District-Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. B. S. Chouhey, Advocate

For the Opposite Party/s : Mr. APP

Mr. Ashok Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 14-09-2018

This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 30.10.2012 passed by the Judicial Magistrate, Siwan, in Complaint Case No.2129-C of 2011 by which the learned Magistrate after holding enquiry has found *prima facie* case against the petitioners for the offence under Section(s) 379/34 Indian Penal Code.

Counsel for the Opposite Party No.2 submits that trial has commenced and witnesses have also been examined in the case.

This Court after perusing the impugned order finds that the Court below after looking into Solemn Affirmation of the



Complainant, statement of the witnesses recorded during enquiry has found *prima facie* against the petitioner.

Therefore, this Court is not inclined to interfere with the impugned order.

This application is, accordingly, **dismissed**.

The Court below will proceed in the case in accordance with law.

(Sanjay Priya, J)

J.Alam/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	17-09-2018
Transmission Date	17-09-2018

