

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1327 of 2016

Arising Out of PS.Case No. -449 Year- 2014 Thana -SAUR BAZAR District- SAHARSA

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1. Rajendra Sharma, S/o Late Shovi Sharma,
2. Chandeshwari Sharma, S/o Late Kulo Sharma,
Both R/o Village - Pama Kabaia Tola, O.P. - Patarghat, P.S. - Sour Bazar, District -
Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar
2. Wakil Sharma, son of Kamleshwari Sharma, r/o village Pama (Kabaiya), P.S.
Sour Bazar (Patarghat O.P.), Distt. Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate.
For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 07-09-2018

1. This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 14.12.2015 passed by the Sessions Judge, Saharsa in Sessions Trial No. 2450/2014 arising out of Sour Bazar (Patarghat O.P.) P.S. Case No. 449 of 2014, by which he has rejected the petition dated 8.12.2015 filed by the petitioners under Section 228 Cr. P.C.

2. Heard learned counsel for the petitioners, learned counsel for the State as well as learned counsel for the informant.

3. Counsel for the informant has submitted that in the written report there is specific allegation against the petitioners of



assaulting the informant with *Farsa* and iron rod on vital part of the body.

4. Police after investigation has submitted charge sheet against the petitioners for the offence under Sections 147, 341, 323, 324, 325, 307, 379 and 506 of the Indian Penal Code.

5. The court below after looking into material in the case diary as well as injury report has found sufficient material for the offence under Section 307 I.P.C. and other allied Sections and has accordingly rejected the petition of the petitioner filed under Section 228 Cr. P.C.

6. This Court after looking into allegation in the written report and the impugned order is not inclined to interfere with the impugned order.

7. This Criminal Miscellaneous application is accordingly dismissed.

8. The court below will proceed in the case in accordance with law.

S.Ali/-

(Sanjay Priya, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	12/09/2018
Transmission Date	12/09/2018

