

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17949 of 2015

Arising Out of PS. Case No.-373 Year-2013 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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1. Lakshman Jha Son of Late Kailu Jha
 2. Deepak Jha son of Sri Lakshman Jha
 3. Nandu Jha Son of Late Bauwa Jha
 4. Shivkant Jha Son of Sri Badri Jha
 5. Sahdeo Jha Son of Late Jhingur Jha

All serial no. 1 to 5 are Resident of village- Mahiya, P.S. - Sakatpur, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Baijnath Sahni, Son of Sri Rajendra Sahni, Resident of Village- Karotwa, P.S. - Kusheshwar Asthan , District- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durga Nand Jha, Advocate
For the Opposite Party/s : Mr. Uma Nath Mishra(APP)

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

5 22-03-2018 Having heard learned counsel for the parties, this Court is of the considered view that in this case as cognizance has been taken by the trial Court based on the evidence that came before the Court, particularly in the statements of EW 1 Sainy Mukhiya and EW 2 Rajendra Sahani, at this stage in a proceeding under Section 482 of the Code of the Criminal Procedure, indulgence into the matter is not called for.

Petitioners' contention that they have been falsely implicated on motivated grounds due to filing a complaint by petitioner No.1 against the opposite party-complainant which has to be examined by the trial Court and, therefore, at this



stage, it is not proper to interfere into the matter.

Granting liberty to the petitioners to raise all the grounds as are raised in the petition before the trial Court and further directing the trial Court to conclude the trial within a period of six months from the date of receipt of a certified copy of the order, the matter stands disposed of.

(Rajendra Menon, CJ)

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