

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36715 of 2016

Arising Out of PS.Case No. -3 Year- 2014 Thana -SHRIKRISHNAPURI District- PATNA

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1. Sarvesh Kumar Singh, s/o Gauri Shankar Singh, r/o Flat No. 101, Shubhan Apartment, Yaduvansh Path, Boring Canal Road, P.S.- Krishnapuri, District-Patna.
 2. Manjul Manjari, D/o Laxman Prasad Singh, r/o House no. 10/2013, Krishna Bihar Colony, Sukhari Path, P.S. Beur, District-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman

For the Opposite Party/s : Mr. Sri Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-09-2018 Heard the learned counsel for the petitioners and the State.

The petitioners have challenged the order dated 27.11.2015 passed by learned Judicial Magistrate 1st Class, Patna in S.K. Puri P.S. Case No. 03/2014, whereby the court below has found *prima facie* case for the offences under Sections 498A, 504 and 506/34 of the Indian Penal Code read with Sections 3/4 of D.P. Act.

The petitioners are named in the written report and there is specific allegation against these petitioners. Police after investigation submitted charge-sheet against these petitioners and the court below after looking into allegation in the written report and the charge-sheet submitted by police has taken cognizance



against these petitioners.

The court below is only required to see *prima facie* case at the time of cognizance.

Therefore, this Court does not find any illegality in the impugned order. Accordingly, this quashing petition is dismissed.

The petitioners are given liberty to raise all the points as raised in this petition at appropriate stage of trial including at the time of framing of charge, which shall be considered by the court below in accordance with law without being prejudiced by this order.

(Sanjay Priya, J.)

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