

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48660 of 2014

Arising Out of PS.Case No. -138 Year- 2013 Thana -BAHERI District-
WESTCHAMPARAN(BETTIAH)

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Daya Nand Mahto

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Jharkhandi Upadhyay (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 24-07-2018 Heard the learned counsel for the petitioner and the

State.

The petitioner has challenged the order dated 03.08.2013 passed by the learned Chief Judicial Magistrate, Darbhanga in Baheri P.S. Case No. 138/2013, whereby cognizance has been taken against the petitioner under Sections 341, 323, 384, 379, 504 and 506/34 of the Indian Penal Code after submission of charge-sheet by the police.

From the written report, it appears that the informant has alleged that the petitioner along with other accused persons had assaulted the informant and his family members and also snatched golden chain. They also made threat and took his signature on the plain paper.

The court below on the basis of allegation made in



the written report and charge-sheet submitted by the police took cognizance against the petitioner.

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

The petitioner is 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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