

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37529 of 2015

Arising Out of PS.Case No. -38 Year- 2008 Thana -NAYA RAM NAGAR District- MUNGER

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1. Sanjay Rajak, son of Shyam Sunder Prasad, resident of Ekta Nagar, Near Mango Orchard, South of Imali Bazar, Phulwari Sharif, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Meena Devi, W/o Faudari Rajak, resident of Parham, P.O. - Farda, P.S. - Nayaramnagar, Distt – Munger

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar, Advocate

For the Opposite Party/s : Mr. APP

Mr. Suraj Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 10-07-2018

This application under Section 482 of the Code of Criminal Procedure has been filed for quashing of First Information Report of Nayaram Nagar P.S. Case No.38 of 2008 instituted under Section(s) 302, 120-B, 201 Indian Penal Code and Section 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Heard learned counsel for the petitioner, informant and the State.

A report was called for from the Court below, which has been received. The Court below has mentioned in the report that the case has already been committed to the Court of Sessions. A petition was filed under Section 227 Cr. P.C., which was rejected and the case is at present fixed for framing of Charge.



Counsel for the petitioner submits that no material has come in the case diary against the petitioner.

Counsel for the informant submits that there are materials in the case diary. The witnesses have supported the case and thereafter charge-sheet has been submitted.

This Court from the report of the Court below finds that the police after investigation has submitted charge-sheet and after taking cognizance, the case has been committed to the Court of Sessions and is pending for trial.

Therefore, this Court is not inclined to interfere with the F.I.R. at this stage.

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

The Court below is directed to proceed with the case in accordance with law.

The petitioner is given liberty to raise all the points, as raised in the present application, at the appropriate stage in trial which will be considered and disposed off by the learned Court below in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

J.Alam/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	16-07-2018
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