

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46640 of 2014

Arising Out of PS.Case No. -72 Year- 2012 Thana -SANDESH District- BHOJPUR

- =====
1. Jag Narayan Tiwari, S/o Late Brij Nandan Tiwari
 2. Sonu Tiwari, S/o Jag Narayan Tiwari
 3. Manish Tiwari, S/o Jag Narayan Tiwari

All R/o village- Basauri, P.O.- Kori, P.S.- Sandesh, District- Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Surendra Tiwari, S/o Late Brij Nandan Tiwari, R/o village- Basauri, P.O.- Kori, P.S.- Sandesh, District- Bhojpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 15-01-2018

1. This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 01.08.2014 passed by the learned Ad hoc Additional Sessions Judge-VIII, Bhojpur, Ara, in Sessions Trial No. 5 of 2014 pertaining to G.R. No. 2077 of 2012 arising out of Sandesh P.S. Case No. 72 of 2012 by which the learned Magistrate has rejected the petition of the petitioners under Section 228(1)(a) of Cr. P.C.

2. Heard learned counsel for the petitioners and learned counsel for the State.

3. In the impugned order, the court below has



mentioned that witnesses in various paragraphs have supported the case and injury report also supports the prosecution case. The court below has on the basis of aforesaid ground, rejected the petition of the petitioners filed under Section 228(1)(a) Cr. P.C.

4. On perusal of the impugned order, this Court finds that informant and several other witnesses have supported the prosecution case. The learned Sessions Judge has mentioned in detail about the statement of witnesses recorded during investigation. Therefore, this Court does not find any illegality in the impugned order.

5. Accordingly, this application is disposed off with direction to the court below to frame charge in the case within 15 days from the date of receipt of this order and, thereafter, proceed in the trial expeditiously in accordance with law and make all efforts to dispose off the same within a period of six months from the date of framing of charge in the case.

(Sanjay Priya, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	23/01/2018
Transmission Date	23/01/2018

