

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47478 of 2015

Arising Out of PS.Case No. -864 Year- 2014 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

- =====
1. Shatrudhan Yadav, son of late Jitu Yadav
 2. Suryamani Devi, wife of Shatrudhan Yadav
 3. Pushpa Kumari, daughter of Shatrudhan Yadav
 4. Madan Yadav, son of late Nathuni Yadav.
- All resident of village Jashoiya, Tola Kanhai Bigha, P.S. Aurangabad (Town),
Distt. Aurangabad (Bihar)
5. Dulari Devi, wife of Sri Krishna Yadav
 6. Krishna Yadav, son of late Mahadeo Yadav
- Both r/o village Punawar, P.O. Sunderganj, P.S. Sisiup, Distt. Aurangabad.
7. Suresh Sharma, son of Sri Mukhdev Sharma, r/o village Sokhpa, P.O.
Ibrahimpur, P.S. Aurangabad (Muffasil), Distt. Aurangabad.

.... Petitioner/s

Versus

1. State of Bihar
2. Shailendra Yadav, son of late Jitu Yadav, r/o village Jashoiya, Tola Kanhai
Bigha, P.S. Aurangabad (Town), Distt. Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh No. 10, Advocate.
For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 23-07-2018

1. This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 5.5.2015 passed by the learned Judicial Magistrate, 1st Class, Aurangabad, in Complaint Case No. 864 of 2014 by which the learned Magistrate after holding enquiry has found *prima facie* case against the petitioners and other accused persons for the offences under Sections 417, 418, 323, 448 and 380/34 of the Indian Penal Code.

2. Heard learned counsel for the petitioners and



learned counsel for the State.

3. From perusal of the impugned order and allegation in the complaint petition, this Court does not find any illegality in the impugned order.

4. This Criminal Miscellaneous application is accordingly dismissed.

5. The petitioners are however given liberty to raise all the points as raised in this application in the court below 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)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	27/07/2018
Transmission Date	27/07/2018

