

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.959 of 2016

Arising Out of PS. Case No.-284 Year-2010 Thana- KUDHNI District- Muzaffarpur

-
1. Ganesh Thakur,
 2. Mahesh Thakur,
 3. Dinesh Thakur, All are Sons of Late Hanuman Thakur.
 4. Phul Babu, Son of Bidyanand Bhagat,
 5. Gonaur Bhagat, Son of Munnilal Bhagat,
 6. Binod Bhagat, Son of Maheshwar Bhagat,
 7. Ram Babu Thakur, Son of Bilasi Thakur,
 8. Ram Naresh Thakur, Son of Damodar Thakur, All are resident of Village- Jagdish Kamtaul, P.S.- Kurhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Dilip Kumar, Son of Gaya Bhagat, resident of Village- Jagdish Kamtaul, P.S- Kurhani, District- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None
For the Opposite Party/s : Mr. A.K.Choudhary(App)

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-09-2018 None appears on behalf of the petitioners.

This petition under Section 482 Cr. P. C. has been filed for quashing the order dated 12.8.2015 passed by the learned Additional Sessions Judge, Xth, Muzaffarpur arising out of Kurhani P.S. case no. 284 of 2010 by which learned Additional Sessions Judge has dismissed the discharge petition filed on behalf of the petitioners.

From order dated 6.9.2018, it appears that none had appeared on behalf of the petitioners as well as on behalf of the opposite party no.2. Today, also nobody has appeared on behalf



of the petitioners.

From the impugned order it appears that revision was also filed by the petitioners before the learned Sessions Judge against the order taking cognizance for the offence under Section 307 of the IPC. The revision application was dismissed.

The Court below has mentioned in the impugned order that there was sufficient materials in the case diary to frame charge against the petitioners for the offence under Sections 147, 149, 323, 341, 504 and 307 of the IPC. The impugned order has been passed after looking into the allegation in the written report and the materials available in case diary.

The learned Magistrate is only required to see whether there are sufficient material to frame charge in the case. Therefore, this Court does not find any illegality in the impugned order.

This Cr. Misc. petition is, accordingly, dismissed.

The Court below will proceed in the case in accordance with law.

(Sanjay Priya, J)

shyambihari/-

U		T	
---	--	---	--

