

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5138 of 2018

Arising Out of COMPLAIN Case No. -661 Year- 2016 District- BHABHUA (KAIMUR)

- =====
1. Nageshwar Upadhyay @ Rameshwar Upadhyay, son of Ram Kewal Upadhyay,
 2. Vijay Kumar Upadhyay @ Vijay Upadhyay, Son of Nageshwar Upadhyay,
 3. Ganesh Kumar Upadhyay @ Ganesh Upadhyay, Son of Nageshwar Upadhyay,
- All are resident of Village- Kharigawan, Police Station- Chainpur, District- Kaimur, Bhabua.

.... Petitioners

Versus

1. The State of Bihar.
2. Nanhku Dusadh, Son of Late Bharat Dusadh, Resident of Village- Kharigawan, Police Station- Chainpur, District- Kaimur, Bhabua.

.... Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. usha Kumari No. 1, SPP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 30-08-2018

This application under Section 482 of the Code of Criminal Procedure has been filed by the petitioners for quashing the order dated 13.09.2017 passed by learned Additional Sessions Judge- 1st-cum- Special Judge, Kaimur at Bhabua in Complaint Case No. 661 of 2016 by which the learned Special Judge has summoned the petitioners to face trial under Sections 341, 323 and 504 of the Indian Penal Code and 3(1)(x), 3(1)(xi) and 3(2)(v-a) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act,



1989.

2. In view of the statutory appeal, as provided under Section 14-A (1) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, this application under Section 482 of the Code of Criminal Procedure is not maintainable.

3. Accordingly, it is disposed of as not maintainable with liberty to the petitioner to assail the impugned order by way of filing an appeal in accordance with law.

(Ashwani Kumar Singh, J.)

Kanchan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.08.2018
Transmission Date	30.08.2018

