

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11769 of 2015

Arising Out of PS. Case No.-456 Year-2006 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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1. Sukhi Devi, wife of Dipan Manjhi, Resident of village- Siswan, P.S. and District- Nawadah.
 2. Gur Sahay Manjhi, Son of Kaleshwar Manjhi, Resident of village- Siswan, P.S. and District- Nawadah.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Rajo Paswan, Son of Late Rama Paswan, Resident of village- Siswan, P.S. and District- Nawadah.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate
For the Opposite Party/s : Mr.Jagdhar Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 01-07-2019

Heard learned counsel for the parties.

2. The petitioners along with two others were arrayed as accused in connection with Complaint Case No.456 of 2006.

3. The petitioners have challenged the order dated 16.06.2011, passed by the learned Additional Session Judge-1st, Nawada in Spl. (H) Case No.11 of 2008, arising out of the aforesaid complaint case, whereby the prayer of the petitioners under Section 227 of the Code of Criminal Procedure has been refused.



4. Without going into the merit of the case, it appears that co-accused, *Satendra Singh @ Satyendra Singh* had challenged the same order in Criminal Miscellaneous No.24848 of 2014 and the impugned order was quashed by a Bench of this Court on 01.09.2016. Likewise, co-accused, *Krishna Mani Kumari Sinha* had challenged the same order in Criminal Miscellaneous No.37999 of 2011 and another Bench of this Court by order dated 03.02.2015 passed in aforesaid Criminal Miscellaneous also quashed the impugned order.

5. The earlier orders, especially order passed in Criminal Miscellaneous No.24848 of 2014 is a well discussed and reasoned order. Hence, the impugned order is **quashed** and this application stands **allowed**.

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	06.07.2019
Transmission Date	06.07.2019

