

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11210 of 2015

Arising Out of PS. Case No.-104 Year-2013 Thana- MOUZAHDIPUR District- Bhagalpur

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1. Niranjan Kumar @ Niranjan Sah, son of Late Kamala Prasad Sah.
 2. Indu Devi wife of Niranjan Kumar
 3. Rakhi Ranjan, daughter of Niranjan Kumar
 4. Sadhvi Ranjan, daughters of Niranjan Kumar
 5. Ravi Kant Ranjan, son of Niranjan Kumar
 6. Diwakant Ranjan @ Shanu, son of Niranjan Kumar,
All residents of Mohalla-East Gurhatta Road P.S.-Mojahidpur, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punam Devi, wife of Krishna Ranjan Kumar @ Munna, residents of
Mohalla- East Gurhatta Road P.S.-Mojahidpur, District-Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Samir Kumar Sinha, Advocate
For the Opposite Party/s : Mr. P.K.Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 07-05-2019 Heard Mr. Samir Kumar Sinha, learned

advocate for the petitioners and learned APP for the

State.

The petitioners have challenged the order dated

02.12.2013 passed by the learned Chief Judicial

Magistrate, Bhagalpur in Mojahidpur P.S. Case No. 104



of 2013 whereby cognizance has been taken under Sections 147, 341, 323, 504, 427 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that the instant case has been lodged as a counter blast to the case lodged from the side of the petitioners and the case in which the informant and others were made accused at the instance of the petitioners, has been quashed. It has further been submitted that because of old dispute, the present case has been lodged and a civil litigation between the parties is also pending.

However, at this stage, this Court is not inclined to interfere with the order of cognizance. If the case has not proceeded further, the petitioners may, if so advised, prefer a petition for discharge, stating all the grounds which have been urged in the present petition before the competent Court. Should such a petition be filed, if not already filed, the same shall be disposed off in



accordance with law by a reasoned order.

With the aforesaid observation/direction, the
petition stands disposed off.

(Ashutosh Kumar, J)

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