

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13594 of 2015**

Arising Out of PS. Case No.-1841 Year-2014 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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1. Pradeep Kumar, Son of Shivjee Chauhan
 2. Bharth Kumar Son of Shivjee Chauhan
 3. Satrudhan Kumar Son of Shivjee Chauhan
 4. Shivjee Chauhan, Son of Late Banbarilal Chauhan R/M Dargah Road, Banwari Chowk, P.S. Sultanganj, District - Patna

... .. Petitioner/s

Versus

1. State Of Bihar
2. Dineshwar Rai, Son of Late Nanhak Rai, at Present Dighikala East, P.S. Hajipur Sadar, District - Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Arvind Kumar Mouar, Advocate
For the Opposite Parties : Mr. Kr.Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 08-05-2019 The petitioner has challenged the order dated 09.07.2014 passed by the learned Chief Judicial Magistrate, Vaishali in connection with Complaint Case No. 1841 of 2014 whereby cognizance has been taken under Sections 420, 406 and 120(B) of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the offences are not made out as against him, even if the entire allegation in the complaint



petition is accepted to be *ex facie* true.

However considering the fact that the order of cognizance is of the year 2014 and the learned counsel for the petitioner is not in a position to inform this Court about the stage of the case. I am not inclined to interfere with the order of cognizance.

The petitioner would have the option of preferring a petition for discharge, if not already filed. In that event, the court below would be under an obligation to pass a reasoned order within a reasonable period of time. If the trial of the petitioner has begun, the trial court would conclude the trial at the earliest.

With the aforesaid direction/observation, the petition is disposed of.

(Ashutosh Kumar, J)

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