

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16919 of 2015

Arising Out of PS. Case No.-723 Year-2013 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

-
1. Pappu Yadav son of Wakil Yadav
 2. Wakil Yadav son of Late Bengali Yadav
- Both are the resident of village - Mayagunj, P.S.-Barari, Distt. - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajesh Poddar son of Suresh Poddar, resident of village - Mayagunj, P.S.-
Barari, Distt. - Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. M.Rab, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-05-2019 Nobody appears on behalf of the petitioners.

However, learned advocate for the State is present.

The petitioners have challenged the order dated
05.05.2014 passed by the learned Chief Judicial
Magistrate, Bhagalpur in Kotwali P.S. Case No. 723 of
2013 whereby cognizance has been taken against the
petitioners under Sections 323, 324, 504, 506, 34 of
the Indian Penal Code.

In the absence of the learned counsel for the
petitioners, this Court is not at all aware about the stage



of the case.

In any view of the matter, after going through the order impugned and the materials brought forth on record, this Court is not inclined to interfere with the order of cognizance.

However, if the petitioners have not already preferred a petition for discharge, they may do so before the Court below, in which event, the Court below shall look into the entire set of facts and pass a reasoned order in accordance with law without being prejudiced by the fact that the present petition has not been entertained. In the event of the trial having commenced, this Court can only direct the Trial Court to conclude the trial as early as possible.

The petition is dismissed with the aforesaid observation.

(Ashutosh Kumar, J)

Shageer/-

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

