

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23328 of 2015

Arising Out of PS. Case No.-52 Year-2013 Thana- GOPALPUR District- Gopalganj

Tejbali Miyan S/o Akbar Miyan Resident of Village Lachpur, P.S. Gopalpur,
District Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.Narsing Tantiapp

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-11-2019 No one appears on behalf of the petitioner even on
second call.

Petitioner in the present case is seeking quashing of
the order dated 24.07.2014 passed by learned Chief Judicial
Magistrate, Gopalganj in Tr. No. 1458/2014 (arising out of
Gopalpur P.S. Case No. 52/2013 under Sections 147, 148, 149,
341, 323, 324, 307, 302, 379, 427 of the I.P.C.

This court has perused the records. It appears that in
the First Information Report there are allegations against the
petitioner that he was one amongst the persons who had
assembled lashed with deadly weapon and had indulged in
assault on the brother of the informant. After investigation
police has submitted a charge-sheet and the learned Magistrate
has taken cognizance after being satisfied with the materials



available on the record to proceed against the petitioner. In the present petition, the petitioner has submitted that at the time of alleged occurrence he was doing the work of Carpenter Mistri on the order of District Administration and he was not present at the place of occurrence, therefore it cannot be involved in the present case.

In the opinion of this court, such question of facts cannot be gone into by this court at this stage. The application is dismissed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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