

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6911 of 2016

Arising Out of PS. Case No.-145 Year-2015 Thana- GHORASAHAN District- East
Champaran

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1. Bhajan Pandit @ Ram Bhajan Pandit
 2. Raman Pandit
 3. Shankar Pandit
 4. Jai Mangal Pandit
 5. Harendra Pandit
- All sons of Rudal Pandit and residents of village - Sikharna, P.S.
Ghorasahan, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha, Adv.

For the Opposite Party/s : Mr. Ram Chandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 14-11-2019 Mr. Madhav Jha, learned Advocate for the

petitioners, on being questioned about the stage of the case

has expressed his ignorance as he is not in contact with the

petitioners.

The present petition has been preferred against the

order dated 15.10.2015 passed by the learned Sub-

Divisional Judicial Magistrate, Sikarhana at Motihari in

connection with Ghorasahan P.S. Case No. 145 of 2015,



whereby cognizance has been taken under Sections 447, 323, 504 and 379/34 of the Indian Penal Code and Section 3(i) (vi) (v) and (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Since the impugned order is of the year 2015 and there has not been any stay of further proceedings of the Court, there is every possibility that the case may have travelled beyond the stage of cognizance or may have been concluded.

In the absence of any categorical information regarding the stage of the case, I am not inclined to entertain the present petition.

If the case has not travelled beyond the stage of cognizance for any reason whatsoever, but not attributable to the petitioners, it would be open for the petitioners to approach the Court below for discharge, if so advised, and if such a petition is not already filed and disposed off.

If such a petition, in that event, would be filed, the Court below shall take into account all necessary facts and shall pass a reasoned order in accordance with law.



It is made clear that this order would be implemented only if the stage of the case has not changed or that such a petition has not been filed and disposed off.

The petition is dismissed with the aforesaid observation.

(Ashutosh Kumar, J)

Praveen-II/-

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