

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.40091 of 2019

Arising Out of PS. Case No.-55 Year-2014 Thana- BARARI District- Katihar

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Nand Kishor Pandit, aged about 63 years, male, Son of Late Kalanand Pandit,
Resident of Village- Jagdishpur, P.S. Barari, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rakesh Kumar, aged about 35 years, male
3. Mithun Kumar, aged about 27 years, male
4. Abhinandan Kumar, aged about 25 years, male
5. Pooja Kumari, aged about 31 years, female
6. Juhi Kumari, aged about 23 years, female
All sons and daughters of late Mahesh Pandit.
7. Sarswati Devi, aged about 50 years, female, Wife of Late Mahesh Pandit.
8. Gautam Kumar, aged about 35 years, male, Son of Kapildeo Pandit
All resident of Village- Amari, P.S. Dharhara, District- Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Adv.

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 04-07-2019 The petitioner, who is informant of the case, has

challenged the order dated 31.05.2019 passed by the

learned Sessions Judge, Katihar in Sessions Trial No. 145 of

2019 arising out of Barari P.S. Case No. 55 of 2014,



whereby the Court below has found that no offence under Section 307 of the I.P.C. could have been made out, but offences are made out under Sections 324/34, 504 and 392 of I.P.C.

2. The dispute between the parties arose out of a trifle, viz., drainage of hand-pump water.

3. There is no ground for this Court to interfere with the order dated 31.05.2019.

4. The prayer for setting aside the same is rejected.

5. However, it shall be open for the petitioner/informant to seek alteration of charge after some witnesses are examined and materials are collected which would show that offence under Section 307 of the I.P.C. is also made out.

6. The petition stands disposed off with the aforesaid observation.

(Ashutosh Kumar, J)

Praveen-II/-

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