

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 3236 of 2015**

Arising Out of P.S. Case No.-45 Year-2010 Thana- BASANTPUR District- Siwan

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1. Dharm Mahto, Son of Late Jiut Mahto.
 2. Basudeo Prasad @ Basudeo Bhagat Son of Kuar Bhagat.
 3. Anil Prasad Son of Bhagelu Mahto.
 4. Baliram Mahto Son of Late Bhageshwar Mahto.
 5. Vishwanath Mahto Son of Charitar Mahto.
 6. Awadh Lal Mahto @ Awadh Lal Prasad Son of Guli Mahto. All resident of Village Khwaspur, P.S. Basantpur, District Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gyanti Devi Wife of Rajendra Sah Resident of Village Khwaspur P.S. Basantpur, District - Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramchandra Sahni, Advocate
For the Opposite Party No. 2	:	Mr. Ranjeet Kumar, Mr. Kundan Kumar and Ms. Ranjeeta Singh, Advocates
For the State	:	Mr. Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

4 30-04-2019 Heard learned counsel for the petitioners; learned APP
for the State and learned counsel for the opposite party no. 2.

2. The petitioners have moved the Court under
Section 482 of the Code of Criminal Procedure, 1973 for the
following relief:

*“That this is an application for
quashing the order taking cognizance dated
12/8/2014 passed by the learned Chief Judicial
Magistrate, Siwan in connection with Basantpur
P.S. Case No. 45/10 (G.R. No. 867/10) for the*



offences under Sections 323/324/504/34 Indian Penal Code.”

3. After some arguments, learned counsel for the petitioners submitted that the matter be disposed off with liberty to raise all points before the Court below itself, at the appropriate stage.

4. Having regard to the aforesaid, as prayed for by learned counsel for the petitioners, the application stands disposed off with liberty aforesaid.

5. If the petitioners file an application before the Court below, at the appropriate stage, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

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