

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75860 of 2019

Arising Out of PS. Case No.-27 Year-2019 Thana- SIWAN COMPLAINT CASE District-
Siwan

-
-
1. DINANATH RAM Son of late Ramroop Ram Resident of Village - Ramapali, P.S.- Siwan Muffasil, Distt.- Siwan.
 2. Sanjay Ram Dinanath Ram Resident of Village - Ramapali, P.S.- Siwan Muffasil, Distt.- Siwan.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Shanti Devi W/o Kapildeo Ram Resident of Village - Ramapali, P.S.- Siwan Muffasil, Distt.- Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey
For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-12-2019 Heard the parties.

This application has been filed for quashing of order dated 13.7.2019/15.7.2019 passed by the Judicial Magistrate Ist class, Siwan in Complaint Case No.27 of 2019 , by which the cognizance has been taken under Section 323 of the Indian Penal Code.

Grounds for quashing is that a title suit is going on between the parties and there is delay in lodging the FIR but without considering the same, the cognizance has been taken whereas the learned A.P.P. has opposed this application on the ground that there is accusation against the petitioner of



assaulting the informant and others as such *prima facie* the case is made out against the petitioner .

Heard both sides and perused the record, from which it appears that petitioners and others came variously armed and assaulted the complainant and others.

In view of above, I find no merit in this application. Accordingly, this application is disposed of with a liberty to the petitioner to raise these points at the time of explaining the accusation against them.

(Vinod Kumar Sinha, J)

chn/-

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

