

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11719 of 2021**

Arising Out of PS. Case No.-338 Year-2018 Thana- SUPAUL District- Supaul

1. MAHENDRA MANDAL Son of Mungay Mandal Resident of Village - Karnpur, P.S.- and Distt - Supaul.
2. Mukesh Mandal Son of Mahendra Mandal Resident of Village - Karnpur, P.S.- and Distt - Supaul.
3. Sukesh Mandal Son of Mahendra Mandal Resident of Village - Karnpur, P.S.- and Distt - Supaul.
4. Pankaj Mandal Son of Kameshwar Mandal @ Kameshwar Mahto Resident of Village - Sukhpur, P.S. and Distt - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 28-04-2022 Heard learned counsel for the petitioners and learned
APP for the State.

This present application has been filed for quashing of the impugned order dated 05.12.2019 passed by the learned Chief Judicial Magistrate, Supaul whereby and whereunder the cognizance has been taken against the petitioners under Sections 323, 354, 384, 385, 448, 504 and 506/34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have committed no



offence and they have falsely been implicated in this case.

This Court has gone through the entire materials available on record. It is apparent that after completing the investigation, chargesheet has been submitted against these petitioners.

This Court finds no illegality in the impugned order as learned Magistrate is well within the jurisdiction to take cognizance, if , *prima facie*, finding the case true against the petitioners. Hence, this Court is not inclined to interfere at this stage. However, the petitioners shall be at liberty to raise all the contentions at the time of framing of charge, if the charge has already not been framed.

With the aforesaid observation/direction, the application stands disposed off in connection with Kishanpur P.S. Case No. 338 of 2018/G.R. No. 1122 of 2018.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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

