

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10971 of 2023

Arising Out of PS. Case No.-118 Year-2018 Thana- JAMALPUR District- Munger

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1. Niranjan Kumar S/O Sri Mahendra Sah Resident Of Village- Naya Tola, Keshopur, P.S.- Jamalpur (Faridpur O.P.), District- Munger.
 2. Biswajit Kumar S/O Sri Mahendra Sah Resident Of Village- Naya Tola, Keshopur, P.S.- Jamalpur (Faridpur O.P.), District- Munger.
 3. Ram Kumar @ Rama S/O Sri Mahendra Sah Resident Of Village- Naya Tola, Keshopur, P.S.- Jamalpur (Faridpur O.P.), District- Munger.

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Ashish Kumar S/O Sri Binod Sah Resident Of Vinoba Nagar Gangapur, P.S.- Sultanganj, Distirct- Bhgalapur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Sah
For the Opposite Party/s : Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 03-03-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

This application has been filed for setting aside the order dated 02.12.2022 passed by learned Chief Judicial Magistrate, Munger in Jamalpur P.S. Case No. 118 of 2018, G.R. No. 1139 of 2018 by which the discharge petition dated 05.11.2022 filed by petitioners has been rejected.

The prosecution story in short is that:- on 30.04.2018 at about 10.00 A.M. informant went to Dasrathpur, taking bamboo on tractor. At the time of returning, accused persons



namely Niranjan Kumar, Vishwajeet Kumar and Ramu Kumar @ Rama stopped the informant on road near Jahangira Mandir and asked that where is my father? The informant told that I do not know anything. On this, all three accused persons fell down informants on the tractor and abused and assaulted with Iron Rod and Bat in which informant sustained injury in left leg. On this, seeing many persons, all three accused persons took Rs. 55,000/0(Fifty five thousand rupees) from the pocket and locket of gold and fled away and threatened the informant, if you will lodged case, they will kill you and then the informant came police station with the help of villagers.

From reading the F.I.R., the criminal case is made out against the petitioners.

Accordingly, this application is dismissed with observation that petitioners will raise all his grievances at the stage of framing of charge.

This application stands dismissed.

(Sandeep Kumar, J)

Shishir/Vikas

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