

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10012 of 2016

Arising Out of PS. Case No.-473 Year-2014 Thana- BHABHUA District- Kaimur (Bhabua)

1. Gyanendra Pratap Singh
2. Narendra Pratap Singh both sons of Late Ram Lakhan Singh
3. Dharmendra Kumar Singh @ Dharmendra Pratap Singh Son of Late Satyendra Pratap Singh All residents of Village - Kanta, P.S. - Saidraja, District - Chandauli U.P. at present Village - Akhlaspur, P.S. - Bhabua, District - Kaimur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 29-03-2023 No one appears on call on behalf of the petitioners although learned APP for the State is present.

The present petition has been preferred for quashing of the order dated 11.01.2016 passed by learned Additional Sessions Judge, I, Bhabhua, Kaimur in Bhabhua P.S. Case No.473 of 2014 whereby and whereunder petition dated 11.12.2015 filed by the petitioners under Section 227 and 228 of the Cr.P.C. has been dismissed.

As per the allegation during the construction of boundary wall, the accused persons surrounded and one Jitendra Kumar Singh opened fire causing injury on the jaw of his mouth



and three teeth was broken. This was followed by another firing by Narendra Pratap Singh (petitioner no.2), one more by Gyanendra Pratap Singh (petitioner no.1) while allegation against petitioner no.3 is of taking away some amount. Accordingly, the FIR.

The matter went up before the learned Additional Sessions Judge, Bhabhua, Kaimur and vide an order dated 11.01.2016, cognizance was taken amongst other under Section 307 of the IPC which has been challenged in the petition.

Whatever alibi the petitioners want to take can be considered at the stage of framing of the charges and/or before the Trial court.

So far as the petition under 482 of the Cr.P.C. is concerned, no relief can be extended to them.

Accordingly, the same stands dismissed.

(Rajiv Roy, J)

Prakash Narayan /-

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