

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10552 of 2016**

Arising Out of PS. Case No.-7 Year-2014 Thana- BHAGWANPUR District- Vaishali

1. Upendra Thakur Son of Shyamal Thakur,
2. Bindeshwar Singh Son of Raman Singh Both residents of village- Akabarpur, P.S.- Bhagwanpur, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi, Adv.

For the Opposite Party/s : Mr.Anil Kr. Singh No.1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 29-03-2023 Heard the parties.

This is an application for quashing of the order dated 3.2.2016, passed in Sessions Trial No.266/2014/128/2015, arising out of Bhagwanpur P.S.Case No. 07/2014 by the learned Additional District and Sessions Judge-IV, Vaishali at Hajipur by which the learned Court dismissed the application dated 8.7.2015 filed under section 227 of the Cr.P.C. by the petitioners.

As per the prosecution story, the informant's nine years old child went to play but failed to return and after search, he could not be found.

The informant had apprehension that due to land dispute with the petitioners herein, he used to threaten that the



entire generation will be eliminated and that apprehension came true next morning when they came to know that the informant's son has been killed and the dead body is located in the 'baswari' of the petitioner No. 2 herein.

Accordingly, the FIR.

The police investigated the matter and thereafter submitted charge-sheet whereafter cognizance was taken under Sections 302, 201 of the IPC.

Both the petitioners herein separately preferred petition under Section 227 of the Cr.P.C. which were taken up together and on 3.2.2016, the same was rejected.

Aggrieved, the present petition.

Considering the kind of allegation that has come in the FIR, no relief can be extended and in that background, the order dated 3.2.2016 needs no interference.

Accordingly, the petition stands dismissed.

(Rajiv Roy, J)

Ajay Singh/-

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