

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25194 of 2015

Arising Out of PS. Case No.-410 Year-2012 Thana- MOTIHARI TOWN District- East
Champaran

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Suraj Thakur S/o Niranjan Thakur R/o Mohalla Miscot Ramna, Ward No. 7,
Police Station Motihari Town, District East Champaran at Motihari.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : None.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 15-02-2023 No one appears on call.

This is an application for quashing of the order dated 1.3.2013 passed by Chief Judicial Magistrate, East Champaran at Motihari in Motihar (Town) P.S. Case No. 410 of 2012 where cognizance taken under Sections 302, 328, 34, 120B of the Indian Penal Code.

As per the prosecution story, the informant alleged that when her husband was coming home from his shop, the accused persons took him to a mutton shop where they mixed poison in the wine and further when the informant came to know about it, they rushed towards the place of occurrence. Upon reaching there, they found accused, Pappu Mian, Suraj Thakur, Amjad Khan and three-four unknown persons present



there who immediately escaped from that place. Her husband told that the accused persons have forcibly administered poison mixed wine. He was rushed to the Sadar Hospital and during the treatment, he died.

The husband of the informant before his death narrated the sequence which ultimately led to his death. He named three accused persons, petitioner being one of them, no case for interference in the present petition is required.

The petition preferred under Section 482 of the Cr.P.C. is misconceived, is accordingly dismissed.

(Rajiv Roy, J)

Ajay Singh/-

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