

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8951 of 2021

Arising Out of PS. Case No.-79 Year-2019 Thana- RAMKRISHNANAGAR District- Patna

1. VIJAY KUMAR YADAV S/o Late Rameshwar Yadav Resident of New Central School Road, East Jaganpura, P.S.-Sri Krishna Nagar, District-Patna.
2. Anita Yadav W/o Vijay Kumar Yadav Resident of New Central School Road, East Jaganpura, P.S.-Sri Krishna Nagar, District-Patna.
3. Lovely Yadav S/o Vijay Kumar Yadav Resident of New Central School Road, East Jaganpura, P.S.-Sri Krishna Nagar, District-Patna.
4. Neeli Yadav D/o Vijay Kumar Yadav Resident of New Central School Road, East Jaganpura, P.S.-Sri Krishna Nagar, District-Patna.
5. Hira Yadav S/o Mishri Yadav Resident of Village-Saidpur, P.S.-Ekangar Sarai, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anisur Rahman
For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 12-09-2023 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

2. This application has been filed for quashing the order dated 09.01.2020 passed in Ram Krishna Nagar P.S. Case No. 79 of 2019 (G.R. No. 1135/2019) by learned A.C.J.M.-13, Patna by which the court below has taken cognizance for the offences punishable under Sections 341, 323, 379, 354, 504/34 of the Indian Penal Code against the petitioners and the case has been fixed on 04.03.2020 for their appearance.



3. The learned counsel for the petitioners has submitted that the informant is father of Anita Yadav (petitioner no. 2). As a matter of fact, the informant had executed a deed of gift in favour of Anita Devi and subsequently, he filed a title suit for cancellation of that deed. Petitioner no. 1 is husband of Anita Devi and petitioner nos. 3 and 4 are son and daughter of petitioner nos. 1 and 2. There is allegation against the petitioner nos. 1, 3 and 5 that after entering into the house of the informant, they assaulted him and his family members badly. His daughter-in-law suffered injuries in her chest.

4. After considering the materials available on the record, the learned court below had taken cognizance against the petitioners under Sections 341, 323, 379, 354, 504/34 of the Indian Penal Code.

5. In my view, the learned court below did not commit any illegality in taking the cognizance against the petitioners.

6. I do not find any merit in the present petition, which is accordingly dismissed.

(Nawneet Kumar Pandey, J)

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