

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51802 of 2015**

Arising Out of PS. Case No.-546 Year-2010 Thana- PATNA COMPLAINT CASE District-  
Patna

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1. Dholan Chauhan Son of Late Ram Swaroop Chauhan resident of Village Dahwan, P.S. Bhadaur, in the district of Patna.
  2. Ram Pravesh Chauhan, Son of Late Ramjee Chauhan
  3. Ram Bali Chauhan Son of Munilal Chauhan Both resident of Village Kazichak, Beldaria Tola, Police Station Bhadaur, in the district of Patna.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Ram Prit Chauhan Son of Late Jagdish Chauhan, resident of Village Khazirau Kazichak, P.S. Bhadaur, in the district of Patna.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : None.

For the Opposite Party/s : Mr.J.Upadhyay, APP

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

2      20-03-2023                      No one appears on call from either side although  
learned APP is present.

This is an application for quashing of the order dated  
10.06.2015 passed by the learned Judicial Magistrate 1st Class,  
Barh in the District of Patna in Complaint Case No. 544C/2010,  
instituted under Section 302/120B of the Indian Penal Code.

As per the prosecution story, the allegation is of  
killing of Manoj Chauhan and the dead body was thrown near  
Beur Jail which was recovered by the police, autopsy done at  
P.M.C.H., Patna. As however, police failed to lodge the FIR, the



complaint.

Considering the fact that the matter relates to Section 302/120B of the Indian Penal Code in which the learned Court having prima facie satisfied had taken cognizance, no interference is required and it would be appropriate that the petitioners raise all the points before the Trial Court at an appropriate stage.

Accordingly, the petition stands dismissed for non-prosecution with the aforesaid liberty.

**(Rajiv Roy, J)**

Ajay Singh/-

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