

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48517 of 2014

Arising Out of PS. Case No.-21 Year-2013 Thana- SC/ST District- Vaishali

Sipahi Rai @ Sipahi Lal Yadav, S/O Late Ram Prasad Rai, Resident of
Mohalla – Agarpur, P.S-Lalganj, Distt.-Vaishali

... .. Petitioner

Versus

1. State Of Bihar.
2. Lalita Devi W/O Raj Kishore Chaudhary Resident of Mohalla-Repura,P.S-
Lalganj,Distt.-Vaishali

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Anish Chandra, Advocate
For the Opposite Party : Mr. Navin Kr. Panday, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 14-02-2023

Heard the parties.

This application has been filed for quashing the order dated 28.01.2014 passed by learned Judicial Magistrate, 1st Class, Vaishali at Hajipur, in SC/ST P.S. Case No. 21 of 2013, by which the learned Magistrate has taken cognizance against the petitioner for the offences under sections 341, 323 & 504/34 of the Indian Penal Code and under Section 3(i)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Learned counsel for the petitioner has submitted that the F.I.R. has been registered after a long delay and there is general and omnibus allegation against the petitioner and therefore, this Court may quash the cognizance order.



At the stage of cognizance, this Court cannot enter into the merits of the case and will not hold mini trial. Further, no ground for quashing of the order dated 28.01.2014 is made out.

In such view of the matter, this quashing petition is dismissed with a liberty to the petitioner to raise all his grounds at the time of framing of charge, if the charge has not already framed.

(Sandeep Kumar, J)

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