

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10388 of 2017

Arising out of PS. Case No.-57 Year-2015 Thana- ROSHANGANJ District- Gaya

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1. RAM KISHORE MISHRA @ KISHORE MISHRA Son of Late Sheo Nandan Mishra
 2. Subodh Mishra S/o Yasoda Nand Mishra, Both Resident of Village- Brahman Bigha, P.S.- Raushan Ganj Banke Bazar, District- Gayar, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudha Chandra, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-09-2023 The present petition has been filed seeking
the following relief:-

“1.That this is an application for quashing the order dated 26.02.2016 passed by learned Sub Divisional Judicial Magistrate, Sherghati (Gaya) in G.R.No 525 of 2015 arising out of Raushan Ganj (Banke Bazar) P.S. Case No.57 of 2015, whereby and whereunder the learned Sub Divisional Judicial Magistrate, Sherghati (Gaya) has taken cognizance under sections 147, 148, 149, 341, 323, 324, 307, 302 and 504 of the Indian Penal Code for alleged offences alleged to have committed by petitioners and issued



summons to them on wholly erroneous grounds, by overlooking relevant and vital material available on record and ignoring the facts and circumstances of the case and also without considering the case of Petitioner, particularly ignoring the fact that the Raushan Ganj Police after thorough investigation submitted final form against the petitioners finding nothing against the petitioners.”

2. At the outset, the learned counsel for the petitioners seeks liberty on behalf of the petitioners to file appropriate discharge petition and/or raise all the issues raised in the present petition before the learned Trial Court at an appropriate stage. Liberty, so sought, is granted.
3. The petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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