

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26856 of 2023

Arising Out of PS. Case No.-24 Year-2018 Thana- SANJHOLI District- Rohtas

Radheshyam Kumar Son Of Motichand Chaudhary Resident of village -
Sanjhauli, P.S. - Sanjhauli, Distt. - Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dharamvir Kumar Son Of Ram Pravesh Singh Resident of village -
Sanjhauli, P.S. - Sanjhauli, Distt. - Rohtas
3. Munna Kumar Son Of Ram Pravesh Singh Resident of village - Sanjhauli,
P.S. - Sanjhauli, Distt. - Rohtas
4. Dharm Kumar Son Of Upendra Chaudhary Resident of village - Sanjhauli,
P.S. - Sanjhauli, Distt. - Rohtas
5. Ankit Kumar Son Of Satyendra Chaudhary Resident of village - Sanjhauli,
P.S. - Sanjhauli, Distt. - Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwary, Advocate
For the State : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 02-07-2024 Heard the parties.

2. The present application has been filed for quashing the order dated 03.02.2023 passed in S.Tr. Case No. 590 of 2019 arising out of (Sanjhauli Police Station Case No. 24 of 2018) passed by learned Additional Sessions Judge-19th, Rohtas at Sasaram by which application/petition under Section 319 of the Code of Criminal Procedure has been rejected without considering the evidence of the injured persons during trial.

3. Nine persons were made accused in the FIR. Out of



them charge-sheet was submitted against six persons and cognizance has been taken against five persons. The police had exonerated three persons and cognizance has not been taken against one person who was chargesheeted after the Magistrate found that there was no material to take cognizance against him.

4. After evidence of witnesses, the petitioner wanted summoning of the accused under Section 319 Cr. P.C. on the basis of the statement of the injured witness.

5. The Court below has considered the case in detail and has dismissed the application of the petitioner filed under Section 319 Cr. P.C. for summoning the additional accused.

6. I have examined the records and gone through the impugned order. I find no illegality in the impugned order.

7. Accordingly, this application stands dismissed.

(Sandeep Kumar, J)

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