

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46632 of 2016

Arising Out of PS. Case No.-105 Year-2002 Thana- CHARPOKHARI District- Bhojpur

1. Ram Kishore Pandey and Ors son of Late Shivdas Pandey
2. Krishna Pandey, son of Late Shivdas Pandey
3. Lalmuni Devi, wife of Sri Ram Kishore Pandey
4. Upendra Pandey, son of Sri Ram Kishor Pandey All residents of Village- Malahu, Police Station- Charpokhari in the district of Bhojpur.
5. Dhananjay Rai, son of Sri Shivji Rai, resident of Village- Itaur, Police Station- Charpokhari in the district of Bhojpur.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Sri Krishna Pandey, son of Sri Ram Niwas Pandey, resident of Village- Chasi, P.S.- Narayanpur, District- Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhu Narayan Sharma

For the Opposite Party/s : Mr.Sri J.N. Thakur

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 04-04-2024 None appeared on behalf of the petitioner, whereas the learned APP, Shri J.N. Thakur is in appearance.

2. The petitioners challenged the order dated 13.05.2016 passed in Sessions Trial No. 104/2016 pending in the Court of 6th Addl. Sessions Judge, Bhojpur at Ara whereby the charges were framed against the petitioners under Section 302/34/328 of the IPC.

3. The petitioners are in-laws of the deceased and there is allegation that after death of the husband of the



deceased due to Hepatitis-B, she went to her *mai*ke but the accused persons (petitioners) brought her to her matrimonial house on the false assurance that they would keep her with full dignity and honour and when she came to her matrimonial house, she was poisoned to death.

4. It appears that the petitioners were not sent up for the trial by the investigating authorities, but differing with the views of investigating authorities, the learned Judicial Magistrate had taken cognizance and after complying the provisions of Section 207 of the CrPC the case was committed to the Court of Sessions and after finding adequate material for framing of charges against the petitioners, the learned Court below vide impugned order dated 13.05.2016 has framed the charges against them.

5. I do not see any illegality, irregularity or impropriety in the impugned order. Accordingly, this criminal miscellaneous application is dismissed.

(Nawneet Kumar Pandey, J)

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