

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52003 of 2024

Arising Out of PS. Case No.-314 Year-2018 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Shivam @ Shivam Sahay Son of Kunal Sahay Resident of Majlish Sahay
Lane, Tilak Maidan, P.S.- Nagar Town, District- Muzaffarpur, Pin-842001

... .. Petitioner/s

Versus

1. The State Of Bihar Patna
2. Kumar Satyam Son of Kumareshwar Sahay Resident of Majlish Sahay Lane,
Tilak Maidan, P.S.- Nagar, District- Muzaffarpur, Pin-842001

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pranoy Kumar
For the Opposite Party/s : Mr.Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 06-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

2. The petitioner has prayed for quashing the order dated 04.06.2024 arising out of S. Tr. No. 419 of 2022) passed by the learned Additional District and Sessions-20, Muzaffarpur whereby and whereunder the learned Court has rejected the petition dated 18.08.2023 filed on behalf of the petitioner under Section 216 of Cr. P.C. for alteration of charge.

3. The prosecution story in brief is that on the basis of the written statement of the informant namely Kumar Satyam, this case has been registered wherein it is alleged that one Shivam Sahay hit the motorcycle of the informant twice



which was parked at the entrance of his house. When the informant objected to the act, then the accused Shivam Sahay assaulted the informant and hit on his eye with a brick.

4. Learned counsel for the petitioner submits that the injury is simple so that the charge can be altered.

5. The application for alteration of charge was filed, the same has been rejected by the impugned order. The trial Court has found that there is no ground for alteration of charge. I have gone through the materials available on record, I also find that there is no ground of alteration of charge.

6. In view of the above, this application is dismissed.

(Sandeep Kumar, J)

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