

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1388 of 2019

Arising Out of PS. Case No.-58 Year-2017 Thana- BIBHUTIPUR District- Samastipur

1. Keshav Singh @ Keshav Kumar Singh So Of Late Triveni Singh, Resident Of Village- Boriya, Police Station- Bibhutipur, District- Samastipur.
2. Sukan Mahto @ Sukkan Mahto Son Of Late Sharwan Mahto, Resident Of Village- Boriya, Police Station- Bibhutipur, District- Samastipur.
3. Ram Dayal Singh, Son Of Late Raj Bahadur Singh, Resident Of Village- Boriya, Police Station- Bibhutipur, District- Samastipur.

... .. Appellant/s

Versus

1. The State Of Bihar
2. Laxmi Ram, Son Of Late Siya Ram, Resident Of Village- Boriya, Police Station- Bibhutipur, District- Samastipur.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Jitendra Kumar Pandey
For the Respondent/s	:	Mr. Sadanand Paswan
		Mr. Ashok Kumar Sinha No. 03

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 07-01-2025 Heard the learned counsel for the appellants, learned APP for the State and the learned counsel for the respondent no. 02.

2. The present application has been filed for setting aside the impugned order dated 28.09.2018 by which the court below has taken cognizance against the appellants for the offences under Sections 341, 323, 325, 504, 506/34 of the Indian Penal Code and under Section 3(i) (r) (s)/ 3(2) (va) of the SC/ST Act in connection with Bibhutipur P.S. Case No. 58 of 2017 registered under Sections 341, 323, 325, 504, 506/34 of



the Indian Penal Code and under Sections 3(i)(r)(s), 3(2)(va) of the SC/ST Act.

3. It has been submitted by the learned counsel for the respondent no. 02 that the stage of the case has changed. The trial has started and three witnesses have been examined.

4. At this stage, this Court cannot examine the order taking cognizance when the trial has already started.

5. Accordingly, this application is dismissed.

6. The certified copy of the deposition of the witnesses 1 to 3 is taken on record.

(Sandeep Kumar, J)

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