

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44485 of 2021

Arising Out of PS. Case No.-22 Year-2017 Thana- DARPA District- East Champaran

1. Suresh Sahani Son of Sadhu Sahani Resident of Village - Tinkoni, P.S.- Darpa, District - East Champaran.
2. Sadhu Sahani Son of Late Dhari Sahani Resident of Village - Tinkoni, P.S.- Darpa, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No. III, Advocate
For the State : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 20-03-2025 Heard the parties.

2. Learned counsel for the petitioners has challenged the order taking cognizance dated 21.04.2018 passed by the Sub-Divisional Judicial Magistrate, Raxaul at Motihari in Darpa P.S. Case No. 22 of 2017 by which cognizance of the offences under Sections 364/34 of the Indian Penal Code has been taken against the petitioners.

3. The present application has been filed on 10.08.2021 challenging the cognizance order which has been passed on 21.04.2018.

4. In the opinion of this Court, this application cannot be entertained on the ground of delay and laches.



5. Accordingly, this application is dismissed with liberty to the petitioners to raise all the grounds at the stage of framing of charge.

(Sandeep Kumar, J)

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