

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66949 of 2021

Arising Out of PS. Case No.-90 Year-2019 Thana- RAMNAGAR District- West Champaran

1. FIROJ MIAN Son of Haroon Mian Resident of Village- Meghwal Mathiya, P.S.- Ramnagar, District- West Champaran.
2. Haroon Mian Son of Late Safi Mian Resident of Village- Meghwal Mathiya, P.S.- Ramnagar, District- West Champaran.
3. Javinullah Ansari @ Javiullah Mian Son of Haroon Mian Resident of Village- Meghwal Mathiya, P.S.- Ramnagar, District- West Champaran.
4. Hedaitullah Ansari @ Hedaitullah Mian Son of Haroon Mian Resident of Village- Meghwal Mathiya, P.S.- Ramnagar, District- West Champaran.
5. Hemayatullah Ansari @ Hemayatullah Mian Son of Haroon Mian Resident of Village- Meghwal Mathiya, P.S.- Ramnagar, District- West Champaran.
6. Anayullah Ansari @ Analytullah Mian Son of Haroon Mian Resident of Village- Meghwal Mathiya, P.S.- Ramnagar, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Jarar Khan Son of Taiyab Khan Resident of Village- Meghwal Mathiya, P.S.- Ram Nagar, District- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1
For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 27-03-2025 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor appearing on behalf of the

State.

2. The present application has been filed for quashing
the order dated 06.10.2021 passed by the 1st Additional Sessions
Judge, Bagaha, West Champaran in S. Tr. No. 88/2020 arising
out of Ramnagar P.S. Case No. 90 of 2019 for the offences



under Sections 147/341/323/307/504 of the Indian Penal Code by which the discharge application of the petitioners have been rejected.

3. Learned counsel for the petitioners submits that no offence under Sections 307 of the Indian Penal Code is made out therefore charges cannot be framed.

4. From the impugned order, it appears that the trial Judge has found that the accused have assaulted the victim on his head with bricks and sticks and therefore, strong *prima facie* case has been found for framing of charge under Section 307 of the Indian Penal Code.

5. I do not find any reason to differ with the same.
This application is dismissed.

(Sandeep Kumar, J)

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