

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65473 of 2018

Arising Out of PS. Case No.-208 Year-2018 Thana- MUNGER COMPLAINT CASE
District- Munger

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Gudiya Devi @ Gudia Kumari Singh wife of Anjani Kumar D/o of Sri Binod Kumar Singh Resident of Village-Bhalar P.S. Dharhara, Distt. Munger
Presently residing at Mohalla Bekapur, P.S. Kotwali, Distt.-Munger

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. Anjani Kumar @ Anjani Singh Son of Anil Kumar Singh Resident of Village-Bhalar, P.S. Dharhara, Distt.-Munger
3. Rekha Devi wife of Anil Kumar Singh Resident of Village-Bhalar, P.S. Dharhara, Distt.-Munger
4. Anil Kumar Singh Son of Late Lakhan Singh Resident of Village-Bhalar, P.S. Dharhara, Distt.-Munger
5. Nilu Devi Wife of Abhitab Singh Resident of Village-Bhalar, P.S. Dharhara, Distt.-Munger
6. Kanchan @ Pakaura Devi D/o of Anil Kumar Singh Resident of Village-Bhalar, P.S. Dharhara, Distt.-Munger
7. Tunna Singh Son of Late Jainu Singh Resident of Village-Shanti Nagar, P.S. Jamalpur, Distt.-Munger

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jyoti Ranjan Jha, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 16-06-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The present application has been filed for quashing
the order dated 02.06.2018 passed by the learned S.D.J.M.
Munger in connection with Complaint Case No.208C of 2018 to
the extent learned court below has omitted to take cognizance of
the offence against the O.P. No.5-7 as well as has further



omitted to take cognizance of the offence under Section 328 of the Indian Penal Code against the O.P. Nos.2 – 4.

3. Learned counsel for the petitioner has submitted that cognizance has not been taken under Section 328 of Indian Penal Code though the deceased was given poison by the accused persons.

4. This Court will not examine the facts of the case at this stage.

5. Accordingly, this application is disposed of with liberty to the petitioner to raise all the grounds at the stage of framing of charge. If such an application is filed for framing of charge under Section 328 of Indian Penal Code by the informant then the same shall be considered by the Trial Judge in accordance with law.

(Sandeep Kumar, J)

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