

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34230 of 2026

Arising Out of PS. Case No.-162 Year-2023 Thana- BAIRIYA District- West Champaran

1. Ranjan Shah S/O Ramawtar Shah Resident of Village- Tilangahi, P.S.- Bairiya, District- West Champaran.
2. Rahul Shah Son of Ramawtar Shah Resident of Village- Tilangahi, P.S.- Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 09-07-2026 Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners have filed this application for quashing of the order taking cognizance dated 03.09.2025, passed by the learned court of Shweta Shukla, J.M.F.C., Bettiah, West Champaran in Bairiya P.S. Case No. 162 of 2023, G.R. No. 2416 of 2023 taking cognizance under Sections 341, 323, 307, 302, 504, 506 and 34 of the Indian Penal Code.

3. As per the allegation, the petitioners, being part of unlawful assembly and sharing a common intention to kill the brother of the informant, acted in pursuant thereof, co-accused Raja Ram Sah, assaulted the brother of the informant who



became the deceased.

4. Learned counsel for the petitioner has submitted that there is absolutely no allegation against the petitioner and Pramod Sah is alleged to have given a fatal blow, resulting into death of the deceased.

5. Learned counsel for the State has vehemently opposed the prayer of the petitioner.

6. Heard the parties perused the records.

7. The matter relates to a case under Section 302 of the Indian Penal Code, in which prima facie case has been found against the petitioner, and cognizance has been taken with aid of Section 34 of the Indian Penal Code. The grounds raised in this application are matter of defence. The court is not inclined to interfere in the matter.

8. This application is devoid of merits and is accordingly dismissed.

(Praveen Kumar, J)

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