

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8986 of 2014

Arising Out of PS.Case No. -451 Year- 2009 Thana -SHASTRINAGAR District- PATNA

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Bimla Sinha Wife Of Shri Devendra Prasad Sinha Resident Of Mohalla - Patel
Nagar Road No.5, House No.17 P.S. Shastrinagar, District - Patna

.... Petitioner/s

Versus

1. The State Of Bihar
2. Surendra Prasad Sinha, Son of Late Narwadeshwar Prasad Resident Of Mohalla
- East Patel Nagar, Road No.5, P.S. Shastrinagar, District - Patna - 800002

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Ahmad Ali, APP.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL JUDGMENT

Date: 19-03-2018

Heard learned counsel for the State. None appears on
behalf of the petitioner.

2. Petitioner along with her husband is accused in Shastri
Nagar P.S.Case No. 451 of 2009 registered under Sections 380, 427
and 448/34 of the Indian Penal Code the police after investigation
submitted charge sheet against both the accused persons, subsequently
cognizance was also taken by the court below. Now the sole petitioner
seeks quashing of order dated 20.09.2010 passed by the Judicial
Magistrate, 1st Class, Patna thereby discharge petition filed by the
petitioner under Section 239 Cr.P.C. has been rejected.

3. In the FIR allegations are similar to the petitioner and
her husband Devendra Prasad Sinha, another co-accused, who earlier



approached this Court, invoking inherent jurisdiction to be exercised under Section 482 Cr.P.C., for quashing the impugned order dated 20.09.2010, the same impugned order which is under challenge in the present application but finding no merit the quashing application of the husband was dismissed.

4. The Court has also gone through the material on record and finds that there is sufficient material on record for framing charge against the petitioner also for alleged offence under Sections 380, 427 and 448/34 of the Indian Penal Code as the allegation is that after removing the wall of the informant, household articles were stolen in his absence by the petitioner and her husband, So finding no merit, the application stands dismissed.

(Arun Kumar, J)

Sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
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