

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78942 of 2019

Arising Out of PS. Case No.-382 Year-2018 Thana- KARAHGAR District- Rohtas

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1. Veena Devi Wife Of Bashisth Prasad Resident Of Village - Babhni, Police Station - Kargahar, District - Rohtas.
 2. Pammi Kumari @ Asha Kumari @ Chhaya Kumari Daughter Of Bashisth Prasad Resident Of Village - Babhni, Police Station - Kargahar, District - Rohtas.
 3. Bashisth Prasad Son Of Late Triveni Prasad Resident Of Village - Babhni, Police Station - Kargahar, District - Rohtas.
 4. Nishant Prasad @ Nishant Kumar Son Of Bashisth Prasad Resident Of Village - Babhni, Police Station - Kargahar, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Shivji Prasad Son of Late Prahlad Prasad Resident of Village - Bhabgbu, Police Station - Kargahar, District - Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate Mr. Manoj Kumar, Advocate Ms. Pooja Prasad, Advocate
For the Opposite Party/s :		Mr. Satyendra Narayan Singh
For the O.P. No. 2	:	Mr. Rajni Kant Pandey, Advocate Mr. Tiwari Shwetketu, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 27-01-2026 Heard the learned counsel for the petitioners, learned
APP for the State and the learned counsel for the O.P. No. 2.

2. This application has been filed for quashing of order dated 23.09.2019 passed by learned Additional Sessions Judge-XV, Rohtas, Sasaram, in Kargahar Police Station Case No. 382 of 2018 in Sessions Trial No. 293 of 2019 whereby charges have been framed for offences under Sections 341, 323,



325, 307, 504, 506 and 34 of the Indian Penal Code has been taken against petitioners.

3. After some arguments, learned counsel for the petitioners prays for and is permitted to withdraw the application filed on behalf of petitioner nos. 3 and 4 to raise all the grounds at an appropriate stage.

4. Accordingly, this application filed on behalf of the petitioner nos. 3 and 4 is dismissed as withdrawn.

5. The present application is now restricted to petitioner nos. 1 and 2 only.

6. Learned counsel for the petitioners submits that so far as petitioners no. 1 and 2 are concerned, they are women and the allegation levelled against the petitioner nos. 1 and 2 is that they have assaulted the informant by leg and fist which shows that there are no specific allegations of overt acts against them but the Court below took cognizance under Sections 325 and 307 of the IPC.

7. Learned counsel for the State has opposed the prayer of the petitioner nos. 1 and 2.

8. I have heard and considered the submissions of the parties and have gone through the records of the case.

9. Considering the fact that the petitioner nos. 1 and 2



are women and there is general and omnibus allegation against them, the present application stands allowed with regard to them.

10. Accordingly, the impugned order dated 23.09.2019 passed by learned Additional Sessions Judge-XV, Rohtas, Sasaram, in Kargahar Police Station Case No. 382 of 2018 in Sessions Trial No. 293 of 2019 is hereby quashed with respect to petitioner nos. 1 and 2.

11. The proceedings with regard to other co-accused persons shall continue including the petitioner nos. 3 and 4.

12. Let a copy of this order be communicated to the Principal District and Sessions Judge, Rohtas at Sasaram for its compliance through FAX or e-mail forthwith.

(Sandeep Kumar, J)

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