

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.485 of 2026

Arising Out of PS. Case No.-340 Year-2021 Thana- PAKARIBARAW District- Nawada

1. Vinita Kumari @ Vinita Devi, Wife of Gajadhar Kumar R/o Village - Lodipur, P.S. - Pakribaraw, Dist. - Nawada, Bihar.
2. Ajit Chauhan, Son of Vijay Chauhan R/o Village - Baliyari, P.S. - Pakribaraw, Dist. - Nawada, Bihar.
3. Rambalak Yadav, Son of Gokul Yadav R/o Village - Baliyari, P.S. - Pakribaraw, Dist. - Nawada, Bihar.
4. Rajesh Yadav, Son of Janki Yadav R/o Village - Baliyari, P.S. - Pakribaraw, Dist. - Nawada, Bihar.
5. Karu Yadav, Son of Late Gajeshwar Yadav R/o Village - Baliyari, P.S. - Pakribaraw, Dist. - Nawada, Bihar.
6. shantu Yadav, Son of Karu Yadav R/o Village - Baliyari, P.S. - Pakribaraw, Dist. - Nawada, Bihar.
7. Pintu Yadav, Son of Karu Yadav R/o Village - Baliyari, P.S. - Pakribaraw, Dist. - Nawada, Bihar.
8. Chote Yadav, Son of Mahendar Yadav R/o Village - Baliyari, P.S. - Pakribaraw, Dist. - Nawada, Bihar.
9. Santosh Kumar @ Santosh Yadav @ Garjaha, Son of Nagendar Prasad R/o Village - Baliyari, P.S. - Pakribaraw, Dist. - Nawada, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Akhilesh Singh, Son of Suresh Prasad Singh R/o Village - Baliyari, P.S. - Pakribaraw, Dist. - Nawada, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Pankaj, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The present application has been filed by the
petitioner invoking the inherent jurisdiction of this Hon'ble



Court for quashing the order dated 28.07.2025 passed by the learned Additional Chief Judicial Magistrate-II, Nawada in Pakaribaraw P.S. Case No.340 of 2021 by which cognizance for the offence under Sections 323, 504, 34 of the Indian Penal Code has been taken against the petitioners.

3. Learned counsel for the petitioners submit that the petitioners have falsely been implicated in this case, where hundreds of persons were said to have assembled and several rounds of firing had taken place. It has further been submitted that the petitioners have falsely been implicated being a Mukhiya and the order taking cognizance has been passed mechanically without taking into account the evidence collected during the course of investigation.

4. Learned APP for the State has opposed the prayer and has submitted that the police has submitted charge-sheet on 20.02.2024 finding the prima facie case against the petitioners.

5. After hearing the learned counsel for the petitioners and learned APP for the state and taking into account the fact that the police has submitted charge-sheet and from perusal of the impugned order, it seems that the learned Trial Court had relied upon the charge-sheet whereby it has been submitted that the petitioners were found to be involved in the said occurrence.



6. Learned counsel for the petitioners at this juncture, pray that he is ready to withdraw the present application with a liberty to raise all such points at the time of framing of charge, which shall be considered and a reasoned order may be passed by the Trial Court.

7. Permission is accorded.

8. The present application stands dismissed as withdrawn with the liberty aforesaid.

(Sourendra Pandey, J)

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