

Kapleshwar Paswan & Ors vs State Of Bihar & Anr on 16 August, 2011

Author: Rajendra Kumar Mishra

Bench: Rajendra Kumar Mishra

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38155 of 2008

1. Kapleshwar Paswan, son of Late Kailu Paswan.
2. Dinesh Paswan alias Ram Dinesh Paswan, son of Late Asharfi Paswan.
3. Ram Vijay Paswan.
4. Ram Sakal Paswan.

Both sons of Kapleshwar Paswan.

All residents of village-Mahra, P.S. Singhia, District-Samastipur.

.....Petitioners

Versus

1. The State Of Bihar.
2. Shivnandan Paswan, son of Kanteer Paswan, resident of village-Mahra, P.S. Singhia, District-Samastipur.

.....Opposite Parties.

4. 16.8.2011

. Heard the parties.

This application has been filed on behalf of the petitioners under Section 482 Cr.P.C. for quashing the F.I.R. of Singhia P.S. Case No.50 of 2003 registered under Sections 341, 323, 447, 380, 427 and 504/34 I.P.C., as contained in Annexure-'1' to this application.

It appears from perusal of record that after investigation police submitted the chargesheet and thereafter the court of Sri J.K. Dubey, J.M., Ist Class, Rosera, Samastipur, has taken the cognizance of offence under Sections 341, 323 and 504 I.P.C. against accused-petitioner Nos.2 to 4 shown in Column No.11 in Chargesheet and discharge the accused/petitioner No.1, Kapleshwar Paswan vide order dated 25.8.2006 (Annexure-'2' of this application).

The cognizance of offence has already been taken vide order dated 25.8.2006 (Annexure-'2') which is revisible.

Hence, this Criminal Misc. application filed under Section 482 of the Code of Criminal Procedure is dismissed.

(Rajendra Kumar Mishra, J) P.S.