

IN THE COURT OF S.D.J.M., BIRAU

C.R. No.-274/2022

RAM SHANKAR CHOUDHARY

Vs.

KUSHESHWAR JHA AND ANOTHER

28/02/2023 The instant case record has been put up for passing order after already heard on inquiry under section 202 Crpc. Attendance has been filed on behalf of the complainant.

ORDER

1. Complainant Ram Shankar Choudhary has filed this case against two persons named in the complaint petition regarding the offence of theft, insult and others. Firstly, the complainant was examined on S.A. and thereafter IW1 Ram Narayan Choudhary, IW2 Fulan Choudhary and IW3 Baidyanath Jha have been examined on behalf of the complainant.

2. Perused the Complaint petition, statement of complainant and inquiry witnesses on S.A. On perusal it appears that the complainant has stated in his S.A. about theft of soil from his land. Other inquiry witnesses have also supported the complainant's case.

As such, considering every aspects of this case it appears that there is sufficient ground to proceed further in this case. As such, a prima facie case is made out u/s- 379 of I.P.C. against both the accused persons namely, 1. Kusheshwar Jha and 2. Parmanand Jha @ Baccha. Complainant is directed to file requisites for issuance of summons, against accused persons, thereafter o/c shall issue summons just after receiving of requisites.

Put up on 15-03-23 for filing requisites by the complainant.

TYPED AND CORRECTED BY ME

S.D.J.M. Biraul