

**Court of Sri Mahendra Mishra, J.M. 2<sup>nd</sup> Class, Muzaffarpur (West)**  
**C-1062/2019**  
**Order**

**05.09.2019.** Case called out. Today, this case is fixed for order after S.A of Complainant and enquiry of witnesses. Complainant is present in the Court.

After sincere perusal of entire case record and the materials available on the record, minutely analysis of the facts, circumstances and evidences as well as on the basis of S.A. of Complainant Ramlal Rai on oath and enquiry of witnesses namely 1. Kanhaiya Rai, 2. Pukar Rai and 3. Chuman Rai this Court finds that, the aforesaid enquiry witnesses have supported the facts and incident as stated by the Complainant on S.A. Therefore, on the basis of S.A. of Complainant on the oath as well as statement of enquiry witnesses, this Court finds that there are prima facie sufficient material available to proceed further in the case against the accused persons namely 1. Suresh Sah 2. Nawal Kumar Sah 3. Shankar Sah and 4. Lal Bahadur Sah under sections 323, 504 and 379 of I.P.C.

However, the Complainant as well as witnesses have admitted that there is a land dispute amongst the Complainant and the Respondants and it seems that the names of other accused persons have been given in the case with personal enmity. Other sections have been imposed only to make the case grievous, but the same are not admissible. Hence, there is no sufficient material to proceed further against the rest accused persons.

The Complainant is hereby directed to file necessary requisits of summons within 15 days and after recieving the same the office Clerk is hereby directed to issue summons against the aforesaid accused persons.

Dated 20.09.2019 is being fixed for filing the required requisits.

Sd/-  
J.M. 2<sup>nd</sup> (W)