

*In the Court of Sri Praveen Kumar, Judicial Magistrate, First Class, Dehri, Rohtas.
Rohtas PS Case No: 09/2021*

157 32/2021

Serial Number of Order	Date of Order	Order with initials of the Magistrate.	Office notes as to action taken on order (if any) and date
1	2	3	4
	18.07.2023	The record is fixed today for hearing and orders on discharge petition filed on behalf of the accused persons of this case namely Jafar Ali and Javed Ali. Cognizance in this case has been taken against the accused persons for the offences punishable under sections 341, 323, 354, 506/34 of IPC. The Learned Counsel on behalf of petitioners has submitted that on perusal of the written complaint of the informant, which is the basis of the FIR in the case, as also statements of the witnesses recorded under section 161 CrPC, it has come on record that the accused persons had tried to outrage the modesty of the informant. Further, it has been submitted that ingredients of the offences punishable under sections 323, 341 and 504 of the IPC are also not available on the record, therefore, the petitioners may be discharged in the case. The Ld. APO has vehemently opposed the discharge petition. It has been submitted by him that the magistrate has only to consider generally the material produced before him by the investigating officer in considering the sufficiency of ground for proceeding against the accused. The truth, veracity and effect of evidence which the prosecutor proposes to adduce are not to be meticulously judged at this stage. He has further contended that there are sufficient materials available on record to try the accused persons for the offences punishable under sections 341, 323, 354, 506/34 of IPC. Heard both the parties and perused the record. It is well settled that at the time of framing of charge the court has only to see as to prime facie materials are there or not to try	