

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17817 of 2015

Arising Out of PS.Case No. -352 Year- 2014 Thana -BARAUNI District- BEGUSARAI

=====

1. SASHIKANT @ SASHIKANT KUMAR @ LUKHO @ LUCHO MAHTON
son of Dulichand Mahto resident of village- Keshway, ward No.7, P.S. Barauni,
District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sharma, Adv.
For the Informant : Mr. Mayank Shekhar, Adv.
For the State : Mr. Ashok Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 24-04-2015

This application under section 482 of the Code of Criminal Procedure (hereinafter referred to as 'the Code') has been filed for quashing the order dated 03.02.2015 passed by the learned Sessions Judge, Begusarai in Sessions Trial No. 588 of 2014 arising out of Barauni (Refinery) P.S.Case No. 352 of 2014, by which he has rejected the application dated 28.01.2015 filed under section 227 of the Code for discharge.

The petitioner is the named accused in the F.I.R. registered under sections 302 and 387 read with 34 of the Indian Penal Code and section 27 of the Arms Act. According to the prosecution case, the petitioner is alleged to have opened fire causing

injury in the chest of one Chunchun Kumar, son of the petitioner. The police took up the investigation of the case and finding the allegations made in the F.I.R. true, submitted charge sheet against the petitioner.

In view of the nature of allegation and the materials collected in course of investigation, the court below rejected the application filed by the petitioner under section 227 of the Code for discharge.

I find no illegality in the order impugned. Accordingly, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

Pradeep/-

U		T	
---	--	---	--