

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 18995 of 2012

Arising out of P.S. Case No. -52 Year- 2008 Thana -Goraul
District- VAISHALI (HAJIPUR)

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Ram Nandan Rai @ Raj Nandan Rai S/o Jagdev Rai Resident of
Village- Sondho, P.S.- Goraul, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Ram Singari Devi, W/o Ram Laxman Rai, Resident of Village-
Lodipur, P.S.-Goraul, Dist.-Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishore, Adv.

For the Opposite Party/s : Smt. Anita Kumari, APP.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 12-02-2015

The Petitioner seeks quashing of the order of
non-discharge dated 26.03.2012 passed by the Additional
Sessions Judge, F.T.C.-IV, Vaishali at Hajipur in S.Tr.
No. 91 of 2010 on the ground that the alleged victim has
not named the Petitioner in her statement recorded under
Section 164 Cr.P.C.

The case diary was called for to verify this fact
and it is found that in fact the Petitioner has not been
named by the alleged victim who names some other
accused even though he was named by the Informant in
the First Information Report.

Considering such aspects of the matter, the
application is allowed and the proceeding including the

order of non-discharge dated 26.03.2012 passed by the Additional Sessions Judge, F.T.C.-IV, Vaishali at Hajipur in S.Tr. No. 91 of 2010 is, hereby, set aside so far as the Petitioner is concerned.

The Application stands allowed.

(Anjana Prakash, J.)

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