

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29981 of 2015

Arising Out of PS.Case No. -136 Year- 2012 Thana -MANIYARI District- MUZAFFARPUR

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1. Prem Kishore Singh Son of Rama Nand Singh
2. Santosh Kumar, S/o Uday Shankar Singh,
3. Braj Kishore Singh, S/o Rama Nandan Singh,
4. Ravindra Singh, S/o Gauri Shankar Singh,
5. Kanhaiya Singh, S/o Ram Naresh Singh, All are R/o Village - Prushotempur,
P.S. - Maniyara, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 09-07-2015

Heard learned counsel for the petitioners and learned
counsel for the State.

This application under section 482 of the Code of
Criminal Procedure (for short 'the Code') is directed against the order
dated 30.04.2015 passed by the learned 4th Additional Sessions Judge,
Muzaffarpur in Sessions Trial No. 576 of 2014 arising out of
Maniyari P.S.Case No. 136 of 2012, whereby the application filed by
the petitioners under section 227 of the Code for discharge has been
rejected.

The petitioners are named accused in a case initially
registered under sections 341, 448, 323, 324, 307, 379, 504 and 506

read with 34 of the Indian Penal Code. Subsequently, after the death of the victim, at the request of the Investigating Officer, section 302 of the Indian Penal Code was added to the First Information Report. On completion of investigation, the police submitted charge sheet and after taking cognizance of the offence under section 302 and other sections of the Penal Code, the case was committed to the court of Sessions for trial.

I have perused the allegations made in the FIR and the impugned order dated 30.04.2015 passed by the court below. The allegations made in the FIR, which have duly been corroborated by the witnesses during investigation, attract the ingredients of the offences alleged.

In that view of the matter, I find no illegality in the order impugned passed by the court below. Accordingly, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

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