

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38723 of 2011

Arising Out of PS.Case No. -0 Year- null Thana -null District- BHOJPUR

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Rana Pratap Singh son of Bhgwan Singh Resident of village Morath P.S. Udwant
Nagar District Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 06-04-2015

The petitioner seeks quashing of the order of non-
discharge dated 25.09.2010 passed by the Additional Sessions Judge,
F.T.C- IV, Arrah in Sessions Trial No. 285 of 2010 arising out of
Jagdishpur P.S. Case No. 313 of 2014.

It has been submitted that the charges have not been
framed as yet.

The background facts of the case is that some unknown
dacoits had committed robbery with the informant. During
investigation, the name of one Dhananjay Kumar Singh i.e. brother of
the petitioner transpired. The Investigating Officer instead of
remanding Dhananjay Kumar Singh remanded the present petitioner
on the alias name of Dhananjay Kumar Singh.

Since this is a serious matter in which an innocent person

may be put on trial while one who committed the serious offence is likely to be left out, I would direct the Court below to hold an enquiry into the matter by calling for a report from the local authorities and documents in support of identity, geneology and pass necessary orders within three months. In case he finds that Dhananajay Kumar Singh is the person who committed the offence, he shall be summoned to face trial.

With this observations the application stands disposed of.

(Anjana Prakash, J)

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