

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46367 of 2014

Arising Out of PS.Case No. -68 Year- 2010 Thana -TRIVENIGANJ District- SUPAUL

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Yogesh Kumar @ Yadunandan Kumar Yugesh Son of Late Rajendra
Yadav Resident of Village - Navdihi, Police Station - Jadia, District-
Supaul.

.... 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 ORDER

03 12-03-2015

The petitioner seeks quashing of the order dated
28.10.2014 by which the learned Additional Sessions Judge I,
Supaul has refused to discharge the petitioner in S.T. No. 246 of
2013.

The case of the informant is specifically against the
accused who are named in the first information report wherein the
petitioner is not named. Nor is he named by any witness.
Subsequently the supervising officer included the name of the
petitioner as being accused in the occurrence. However, it is not
known as to how he formed such an opinion.

The case diary was called for in this case to verify the
submission. On the last occasion the counsel for the informant had
undertaken to satisfy this Court with regard to materials available
in the case-diary revealing complicity of the petitioner. Today he

is absent. The Court is assisted by the learned APP who has gone through the case-diary. He submits that apart from the opinion of the Supervising Officer there is no material against the petitioner.

Considering such aspect, the application is allowed. So far as the petitioner is concerned, the order dated 28.10.2014 passed by the learned Additional Sessions Judge I, Supaul in S.T. No. 246 of 2013 is hereby set aside.

(Anjana Prakash, J)

Prakash/-

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