

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11312 of 2013

Arising Out of PS.Case No. -15 Year- 2001 Thana -C.B.I CASE District- -

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1. Harendra Kumar son of Late Bhrigunath Kumar Resident of Village- Hariharpur, P.S- Baniyarpur, Distt- Saran (Chapra.)
2. Saudagar Kumar son of Late Ram Sanehi Kuwar, Resident of Village- Hariharpur, P.S- Baniyarpur, Distt- Saran (Chapra.)

.... Petitioners.

Versus

1. The State of Bihar.
2. C.B.I. Patna.

.... Opposite Parties.

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Appearance :

For the Petitioners : Mr.
For the Opposite Parties : Mr. Bipin Kumar Sinha, S.C. CBI.

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

2 25-06-2015 Heard learned counsel for the petitioners and learned counsel for the State.

This is a petition for quashing the order dated 20.07.2012 passed by the Additional Sessions Judge, 1st Class, Muzaffarpur, by which he has dismissed the revision and confirmed the order passed by the Special Judicial Magistrate, C.B.I., Muzaffarpur, by which petition under Section 239 Cr.P.C. has been dismissed.

The prosecution case as alleged therein that these petitioners along with other private persons and unknown public servant in conspiracy with each other have encashed of Rs. 7,00,000/- of L.I.C. policies fraudulently.

Though, these petitioners have filed petition under

Section 239 of Cr.P.C. for discharge which has been rejected and against this order these petitioners moved before Additional Sessions Judge in revision which has also been dismissed and second revision is barred hence petitioners have filed this writ petition.

Learned counsel for the C.B.I. however submits that charge has been framed and case proceeded and three witnesses have already been examined in this case.

Having regard to the fact as well as material on record that trial is proceeded, I am not inclined to interfere with the proceeding.

Accordingly, this petition is dismissed.

m.p.

(Gopal Prasad, J)

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