

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14169 of 2013

Arising Out of PS.Case No. -87 Year- 2007 Thana -PIPRAHI District- SHEOHAR

Binod Kumar S/O Late Rameshwar Nath Gupta Resident Of Sheohar, P.S-
Sheohar, Distt- Sheohar.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Surendra Paswan, resident of village minapur Balha, P.S. – Piprahi,
District – Sheohar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.
For the Opposite Party/s : Mr. Md. Ansarul Haqui (App)

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR
TRIVEDI
ORAL ORDER

4 17-07-2015 Heard learned counsel for the petitioner as well as the
learned Additional Public Prosecutor.

The order dated 22.06.2012 speaks the stage of present proceeding to be at fag end. Therefore, there happens to be no occasion for this court to re-visit from the stage of charge as during course of trial, witnesses on behalf of the prosecution had already been examined after framing of charge. In the aforesaid background, now it is upon the Trial Court to see whether the offence under Section 379 of the Indian Penal Code as well as Section 7 of the E.C. Act is made out or not while delivering the judgment. In case learned lower court will not find the offences duly proved by the evidence available on the record, then the

learned lower court will acquit the accused.

In the aforesaid facts and circumstances of the case, the instant petition is rejected.

(Aditya Kumar Trivedi, J)

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