

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32852 of 2012

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1. Ganesh Rai son of Late Dhari Rai R/O Village - Jian, Police Station -
Karja, District - Muzaffarpur

2. Sunil Rai

3. Sudhir Rai, both sons of Ganesh Rai R/O Village - Jian, Police Station -
Karja, District - Muzaffarpur

.... Petitioners

Versus

The State Of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shyam Sunder Pandey

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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7 22-04-2015 Heard learned counsel for the petitioners and learned
Addl. Public Prosecutor.

Three petitioners, who are named in the F.I.R. in Karja
P.S. Case No.52 of 2006, G.R. No.873 of 2006, corresponding to
Sessions Trial No.557 of 2011, registered for the offence under
Section 307 and other allied Sections of the Indian Penal Code,
have approached this Court by filing the present petition under
Section 482 of the Code of Criminal Procedure with a prayer to
quash an order dated 14.06.2012 as well as entire criminal
proceeding. By the impugned order, the petition for discharge filed
on behalf of the petitioners was rejected. It has further been argued
by learned counsel for the petitioners that the petitioners had

raised an issue that no offence triable by the court of Sessions is made out and, as such, it was a case to be tried by the Magistrate.

I have perused the F.I.R. as well as materials available on record. Prima facie, in the impugned order, I do not find any defect. Accordingly, the petition stands dismissed.

Keeping in view the fact that the order impugned was passed long back in the year 2012, while dismissing the petition, it is desirable to direct the court below to take appropriate steps, so that the case may come to its logical end without unnecessary delay.

(Rakesh Kumar, J)

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