

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46767 of 2012

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Raj Kishore Prasad Mahto S/o Late Hemant Mahto resident of village -
Chauhatta, P.S. Manpur, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Yogendra Yadav S/o Ganga Yadav, resident of village - Chauhatta, P.S.
Manpur, District - West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha

For the Opposite Party/s : Mr. Kanhaiya Kishore (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 30-04-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is challenging the order
dated 9th March 2011 passed by the Trial Court in Sessions Trial
No. 261 of 2010 by which he has framed the charge under sections
147/148/ 452/149/ 436/149/ 307/149 of the Indian Penal Code and
Section 25 (1-b) (a), 26, 27 of the Arms Act.

In the present application, allegation has been made
against the petitioner of assaulting and using the fire arms with
intention to kill the informant side.

Submission has been made that there is a case and
counter case. The cause for dispute is with regard to the land and it
is completely a private dispute, this Court should interfere in the
matter.

The first information report itself shows, volumes of the action of the petitioner and when the Court arrived to a conclusion that strong suspicion is made out against the petitioner on the basis of material available on record, this Court should not interfere in the matter.

This Court does not find any error in the order impugned. Accordingly, this petition is dismissed.

As the case is of 2002, the court below is directed to expedite the trial and conclude the same preferably within one year from the date of receipt/production of a copy of this order.

(Shivaji Pandey, J)

Mahesh/-

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