

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23953 of 2011

Arising Out of PS.Case No. 10 Year- 1997 District- NALANDA (BIHARSHARIFF)

Vijay Kumar, S/O Late Chhote Lal, Resident Of Mohalla- Alamganj, Police Station- Laheri, District- Nalanda

.... Petitioner/s

Versus

1. The State Of Bihar
2. Sharwan Yadav, son of Baleshwar Yadav
3. Upendra Yadav @ Lagan Gope @ Ram Lagen Gope @ Umesh Yadav, son of late Ladheri Yadav
Both resident of village Calbeg, P.S. Deep Nagar, Distt. Nalanda.
4. Ranvijay Yadav, son of Kameshwar Singh, resident of village Banga Bigha, P.S. Chandi, Distt. Nalanda.

.... Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the State : Mr. Khurshid Anwar, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 10-04-2015

No one appears on behalf of the Petitioner.

The Petitioner seeks quashing of the order dated 8.6.2011 by which the F.T.C. No. IInd, Biharsharif, Nalanda, has refused to summon the Opposite Parties to face Trial under Section 319 Cr. P.C. in Sessions Trial No. 406 of 1999.

In the facts of the case, since the Opposite Parties were named during investigation and the very same witnesses have once again named them, this application is allowed and the order dated 8.6.2011 by which the F.T.C. No. IInd, Biharsharif, Nalanda, in Sessions Trial No. 406 of 1999 arising out Laheri P.S. Case No. 10 of

1997 is hereby set aside.

The Opposite Parties are directed to appear before the Court below within a period of three weeks from the date of receipt of this order after which the Trial shall proceed in accordance with law.

(Anjana Prakash, J)

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