

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41179 of 2012

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Bindehswari Yadav @ Bino Yadav, S/O Late Rameshwar Yadav, Resident
of Village Dehad, P.S- Sonbersa, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA

ORAL ORDER

3 30-04-2015

The petitioner is aggrieved by the order dated 24.09.2012 passed in Session Trial Case No.185 of 2012 by the learned Adhoc Additional Sessions Judge-1st, Saharsa, whereby the prayer for discharge made on behalf of the petitioner under Section 227 Cr.P.C. has been rejected.

In the FIR vide Annexure-1, there is specific allegation that the petitioner assaulted the informant by Dabiya (sharp cutting weapon) on his head as a result of which he sustained injury and blood started oozing out. The learned trial court has recorded a finding of fact that there is not only prima facie case against the petitioner, but there are sufficient materials for framing charge.

After taking into consideration the entire materials available on record, this Court does not find any good ground to interfere with the impugned order dated 24.09.2012 passed in Session Trial Case No.185 of 2012 by the learned Adhoc Additional Sessions Judge-1st, Saharsa. Accordingly, the present application stands dismissed.

However, the petitioner shall be at liberty to raise all the issues, which have been raised in the present application, during the course of trial.

Arvind/-

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(Birendra Prasad Verma, J)