

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 23260 of 2016

Arising Out of PS.Case No. -71 Year- 1993 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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Arun Kumar Choudhary @ Arun Choudhary son of Late Krishan Kumar Singh Resident of village - Chandralay, P.S. - Sadar, District - Vaishali at Hajipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Ahmad Ali(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 08-08-2016 Heard Sri Anil Kumar Singh, learned counsel for the petitioner and Mr. Ahmad Ali, learned Addl. Public Prosecutor.

The sole petitioner has approached this Court invoking its inherent jurisdiction under Section 482 of the Code of Criminal Procedure, with a prayer to quash an order dated 05-03-2016 passed by learned 4th Addl. Sessions Judge, Vaishali at Hajipur in Sessions Trial No. 47 of 2004/158 of 2015 (arising out of Hajipur Town P.S. Case No. 71 of 1993) registered for the offence under Section 302 & other allied sections of the Indian Penal Code and Section 27 of the Arms Act, 1959. By the said order, the petition filed under Section 227 of the Cr.P.C. for discharge of the petitioner has been rejected.

Learned counsel for the petitioner tried to persuade

the Court that there is no cogent material in the case diary showing involvement of the petitioner. Even then, the petitioner was forwarded as accused in the supplementary charge-sheet and learned Addl. Sessions Judge, without noticing those facts, has passed the impugned order.

Besides hearing, I have also perused the materials available on record, particularly the impugned order. After going through the impugned order, it appears that learned Addl. Sessions Judge, by way of referring to certain paragraphs of the case diary and examining the case, has rejected the discharge petition.

I do not find any apparent error warranting interference.

The petition stands dismissed.

(Rakesh Kumar, J.)

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