

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30974 of 2013

Arising Out of PS.Case No. -383 Year- 2011 Thana -DANAPUR District- PATNA

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1. Bengali @ Imamuddin, son of Late Afzal Haque @ Bholu, resident of Imalital, P.S- Danapur, Dist- Patna.
 2. Sony Khatoon @ Musarat W/O Imamuddin @ Papa, resident of Nasriganj, Paithan Toli, P.S- Danapur, District- Patna.

.... Petitioners

Versus

1. The State of Bihar
2. Vilgis Khatoon, wife of Md. Hasim Khan, resident of Nasariganj, Paithan Toli, Police Station-Danapur, District- Patna

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 09-08-2016 Heard Sri Ghanshyam Tiwary, learned counsel for the petitioners and Sri Kumar Rajeev learned counsel, who has appeared on behalf of the informant.

In the present case, the petitioners have prayed for quashing of an order dated 01.06.2013 passed by the learned Judicial Magistrate, 1st Class, Danapur in Danapur P.S. Case No.383/2011. By the said order, the learned Magistrate has rejected the discharge petition filed on behalf of the petitioner.

In this case, earlier by order dated 05.05.2016, while directing for issuance of notice to Opp.Party no.2, a report was called for regarding the stage of the case, which has been

receipt and kept at Flag-A. The report suggests that after rejection of discharge petition, charges were framed and till date altogether three prosecution witnesses have already been examined.

Keeping in view of the fact that the trial has already commenced, there is no reason to pass any positive order in favour of the petitioners.

The petition stands dismissed.

(Rakesh Kumar, J)

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