

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13240 of 2016

Arising Out of PS.Case No. -33 Year- 2006 Thana -MATIHANI District- BEGUSARAI

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1. Bal Mukund Singh @ Mukund Singh,
2. Arvind Singh @ Arvind Kumar @ Arvind Kumar Singh.
3. Rajiv Kumar @ Rajiv Singh @ Rajiv Kumar Singh,
4. Bambam Singh @ Ram Shakar Singh All sons of Upendra Singh,
Resident of Village- Matihani, Police Station- Matihan, Distt. Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Maheshwar Yadav, Son of Late Ram Sharan Yadav, Resident of Village-
Matihani, Yadav Tola, Police Station- Matihani, Distt.- Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Amrendra Kumar

For the Opposite Party/s : Mr. Arvind Kumar and Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 16-09-2016 Heard learned counsel for the petitioners, State and
the private respondent.

In this case, petitioners are challenging the order dated 03.02.2016 passed in S.Tr. No. 668 of 2008 arising from Matihani P.S. Case No. 33 of 2006, thereby they have submitted that discharge application of the petitioners has wrongly been rejected and further said, on two occasions application filed by the prosecution under section 319 Cr.PC was rejected, but on one occasion, this Court remanded back the matter for passing a fresh order, thereafter, the notice has been issued to the petitioners to stand the trial and the Presiding Judge, after considering the

materials came during the trial, found sufficient materials to summon the persons concerned to stand the trial. The impugned order shows application of mind and recording of facts of sufficient material.

In such view of the matter, this Court doesn't find any merit in the present case and the same is, accordingly, dismissed with liberty to raise all points at the time of trial.

The counsel for the informant submits that some other accused persons are dragging the case applying dilatory tactics and are not cooperating for early disposal of the case.

The court below is directed to proceed with the matter without granting unnecessary adjournment and dispose of the same preferably within a period of one year from the date of receipt or production of a copy of this order.

(Shivaji Pandey, J)

Mahesh/-

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