

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 21080 of 2014

Arising Out of PS.Case No. -141 Year- 2008 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

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1. Ram Nath Sharma Son of Late Sri Jaleshwar Sharma
2. Brinjay Kumar Son of Ram Nath Sharma
Both Resident of Mohalla - Ramdayalu Nagar, Siddharth Puram, Police
Station - Sadar in the District of Muzaffarpur.

.... Petitioners

Versus

1. The State of Bihar
2. Vikash Kumar, son of Ram Nath Sharma, resident of Mohalla-
Ramdayalu Nagar, Siddharth Puram, P.S. – Sadar, District –
Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Sushant Kumar

For the Opposite Party/s : Mr. Madan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 12-08-2016 Heard Sri Sushant Kumar, learned counsel for
petitioners and Sri Madan Kumar, learned Addl. Public
Prosecutor.

Two petitioners, who are none else but father and own
brother of the informant respectively, have approached this Court
invoking its inherent jurisdiction, with a prayer to quash an order
dated 12-03-2014 passed by learned 3rd Adhoc Additional
Sessions Judge, Muzaffarpur in Sessions Trial No. 378 of 2013
(arising out of Muzaffarpur Sadar P.S. Case No. 141 of 2008). By
the said order, petition filed under Section 227 of the Cr.P.C. for
discharge was rejected.

Learned counsel for petitioners fairly submits that after rejection of discharge petition before the court below, subsequent development has taken place. He submits that charges were framed and till date, some witnesses have already been examined.

Keeping in view the fact that evidence has already commenced, it would not be appropriate for this Court to pass any positive order in favour of petitioners.

The petition stands disposed of.

(Rakesh Kumar, J.)

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