

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43617 of 2013**

Arising Out of PS.Case No. -558 Year- 2009 Thana -SAMASTIPUR District- SAMASTIPUR

Satish Kumar Sunil , s/o Laxmi Mahto, resident of village - Jitwarpur  
Nijamat, P.S. Samastipur Mufassil District Samastipur

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Veena Rani Prasad (App)

**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      30-06-2016      Heard Sri Ajay Kumar Singh, learned counsel for the  
petitioner and Sri D.N. Tiwary, learned A.P.P.

The petitioner, invoking inherent jurisdiction of this court under section 482 of the Code of Criminal Procedure, has prayed for quashing of an order dated 13.5.2013 whereby the learned Judicial Magistrate 1<sup>st</sup> Class, Samastipur has rejected the discharge petition filed by the petitioner in connection with Samastipur Town P.S. Case No. 558 of 2009, Tr. No. 2010 of 2013.

Learned counsel for the petitioner submits that the learned Magistrate without application of mind in a perfunctory manner has rejected the discharge petition whereas according to learned counsel for the petitioner it was a fit case for discharging the petitioner.

Learned A.P.P. by way of referring to the impugned order submits that on perusal of the impugned order it is evident that the learned Magistrate while considering and rejecting the discharge petition has applied its mind and he examined the case diary and referred number of paragraphs of the case diary.

Besides hearing, I have also perused the material available on record particularly the impugned order. On going through the impugned order the court is satisfied that there is no ground for interference with the same.

The petition stands dismissed.

**(Rakesh Kumar, J)**

Praful/-

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