

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 40544 of 2013

Arising Out of PS.Case No. -142 Year- 2012 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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Om Prakash Yadav Son of Roop Narayan Yadav R/O Village-Khijirpura
Tola Dumma, P.S.-Kesariya, District-East Champaran

.... Petitioner

Versus

1. The State of Bihar
2. Shatrughan Yadav Son of Lal Babu Rai R/O Village and P.O.-Karhan,
P.S.-Kesariya, District-East Champaran

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Virendra Kuar
For the Opposite Party/s : Mr. Manoj Kumar 1 (App)
Mr. Pramod Kumar Singh
Mr. Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 17-05-2016 Heard Sri Virendra Kuar, learned counsel for the

petitioner, Sri Manoj Kumar-I, learned Addl. Public Prosecutor

and Sri Pramod Kumar Singh, learned counsel assisted by Sri

Rajesh Kumar, learned counsel for the informant/opp. party no. 2.

Sri Singh, learned counsel for the informant submits

that there is no apparent error in the order impugned, whereby

discharge petition has been rejected. He submits that the petitioner

was the husband of the deceased and the case was instituted for

offence under Section 304(B) of the Indian Penal Code, however;

after investigation, police submitted chargesheet under Section

306 of the Indian Penal Code and at the stage of charge, petition

was filed for discharge. He submits that there is sufficient material showing involvement of the petitioner.

I have also perused the impugned order. After going through the same, I do not find any apparent error warranting interference.

Accordingly, the petition stands dismissed.

In view of dismissal of this petition, interim order of stay dated 23-10-2013 stands automatically vacated.

(Rakesh Kumar, J.)

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