

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52277 of 2013

Arising Out of PS.Case No. -95 Year- 2012 Thana -PANDAUL District- MADHUBANI

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1. Dilip Mandal @ Dilip Kumar Mandal
 2. Anil Mandal @ Anil Kumar Mandal
 3. Lalan Mandal @ Lalan Kumar Mandal
 4. Arun Mandal
All sons of Late Fakir Mandal
 5. Ajay Mandal @ Ajay Kumar Mandal
 6. Sanjay Mandal @ Sanjay Kumar Mandal,
Both sons of Arun Mandal
 7. Mukesh Mandal @ Mukesh Kumar Mandal, Son of Dilip Mandal @
Dilip Kumar Mandal
 8. Asha Devi, wife of Dilip Mandal @ Dilip Kumar Mandal
 9. Dharmsheela Devi, wife of Arun Mandal
All residents of Village- Baragaun, P.S. Pandaul, District-
Madhubani

.... Petitioners

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sameer Ranjan

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 25-07-2016 Heard Sri Sameer Ranjan, learned counsel for the
petitioners and learned Addl. Public Prosecutor.

Nine petitioners have approached this Court with a
prayer to quash an order dated 17.09.2013 passed by the learned
Adhoc Additional Sessions Judge-III, Madhubani in Sessions Trial
No.31 of 2013. By the said order, the learned Addl. Sessions
Judge has rejected the discharge petition filed on behalf of the
petitioners under Section 227 of the Code of Criminal Procedure.

Learned counsel for the petitioners submits that initially the case was lodged for the offences triable by the Magistrate. However, after investigation, the police submitted chargesheet under Sections 147, 448, 341, 323, 325, 379, 307, 354, 504 of the Indian Penal Code and, thereafter, cognizance order was passed and the case was committed to the court of Sessions. At the stage of charge, a petition for discharge was filed.

It was submitted by learned counsel for the petitioners that the injury report does not corroborate the prosecution. On this very ground, a prayer was made to quash the impugned order.

Besides hearing learned counsel for the parties, I have also perused the materials available on record, including the impugned order. I do not find any apparent error in the impugned order warranting interference.

The petition stands dismissed.

(Rakesh Kumar, J)

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