

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19873 of 2014

Arising Out of PS.Case No. -366 Year- 2011 Thana -GANDHIMAIDAN District- PATNA

=====

Deepak Kumar S/o Sri Raghuvansh Thakur
Resident of village- Muski Khusrupur, Police Station- Khusrupur, District-
Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Kaushal Kumar S/o Late Ishwar Chandra Prasad Resident of Mohalla-
Paijawapar (Behind of Kali Mandir), Ward No. 20, Police Station- Barh,
District- Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. D.N. Tiwary (APP)

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 09-08-2016 Heard Sri Ajay Mukherjee, learned counsel for the

petitioner, Sri D.N. Tiwary, learned A.P.P. as well as Sri Vijay

Anand , learned counsel who has voluntarily appeared on behalf of

the informant.

The sole petitioner has approached this court for
quashing of an order dated 26.2.2014 passed by Sri Ashutosh
Khetan, learned Judicial Magistrate, Patna in Gandhi Maidan
P.S. Case No. 366 of 2011. By the said order petition filed on
behalf of the petitioner under section 239 of the Cr.P.C. for his
discharge was rejected.

At the very outset learned counsel for the informant

submits that after rejection of discharge petition charges were framed and trial has commenced and till date altogether five witnesses have already been examined.

In view of the fact that after rejection of discharge petition, trial has already commenced, there is no reason to keep the matter pending.

The petition stands disposed of.

(Rakesh Kumar, J)

Praful/-

U		T	
---	--	---	--