

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31408 of 2013

Arising Out of PS.Case No. -3239 Year- 2009 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Rajeev Kumar Son Of Sri Harivansh Mahto Resident Of Mohalla - Piar,
P.S. - Piar, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar
2. Harendra Prasad Son Of Late Khakhan Bhagat Resident Of Village -
Musalmani Chak, P.S. - Minapur, District - Muzaffarpur
3. Vibha Kumari Daughter Of Sri Harendra Prasad Resident Of Village -
Musalmani Chak, P.S. - Minapur, District - Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Bela Singh

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

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 08-08-2016 Heard Smt. Bela Singh, learned counsel for the
petitioner and Sri Madan Kumar, learned A.P.P.

In the present petition filed under section 482 of the
Code of Criminal Procedure, the sole petitioner has prayed for
quashing of an order dated 4.7.2013 passed by learned Judicial
Magistrate 1st Class, Muzaffarpur in Complaint Case No. 3239
of 2009, Trial No. 1821 of 2013. By the said order the learned
Magistrate has rejected the petition for discharge filed under
section 245 of the Cr.P.C.

In this case by order dated 28.6.2016 a report was
called for from the court below regarding the stage of the case

which has been received and kept at flag ‘A’. On perusal of the report it is evident that after rejection of discharge petition charge was framed and evidence has already commenced.

In view of the facts and circumstances, there is no need to pass any positive order in favour of the petitioner.

The petition stands dismissed.

(Rakesh Kumar, J)

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