

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 31554 of 2013

Arising Out of PS.Case No. -35 Year- 2004 Thana -KHODAWANTPUR District- BEGUSARAI

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1. Md. Farid Son of Md. Abdul Aziz
2. Md. Dildar Hussain @ Dildar Hussain Son of Md. Farid
3. Md. Haidar Ali @ Md. Haidar Son of Md. Farid
All Resident of Village - Fafot, Police Station - Khodawantpur, District - Begusarai

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sinha

For the Opposite Party/s : Mr. Binod Kumar-III(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 06-05-2016 Heard Sri Rakesh Kumar Sinha, learned counsel for petitioners and Sri Binod Kumar-III, learned Addl. Public Prosecutor.

Three petitioners have approached this Court invoking its inherent jurisdiction under Section 482 of the Cr.P.C. with a prayer to quash an order dated 30-05-2013 whereby learned Adhoc Addl. Sessions Judge – IV, Begusarai in Sessions Trial No. 268 of 2012 (arising out of Khodawantpur P.S. Case No. 35 of 2004) registered for the offence under Sections 341, 323, 379, 376/511, 504 & 34 of the Indian Penal Code has rejected the petition filed under Section 228 of the Cr.P.C.

Learned counsel for petitioners submits that save and

except accusation against the petitioner no. 2, there was no material implicating the petitioner no. 1 and 3. Even then, learned Sessions Judge, in a mechanical manner, has rejected the petition filed on behalf of petitioners.

Learned Addl. Public Prosecutor, by way of referring to the impugned order, submits that there is no apparent error warranting interference.

I have also perused the material available on record. I do not find any ground to interfere in the matter.

The petition stands dismissed.

Keeping in view the fact that F.I.R. was lodged in the year 2004 itself and the case as per the impugned order is still at the stage of charge, while dismissing the present petition, it is desirable to observe that learned court below may take appropriate step so that the case may come to its logical end without unnecessary delay.

(Rakesh Kumar, J.)

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