

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16957 of 2016

Arising Out of PS.Case No. -200 Year- 2012 Thana -DUMRAUN District- BUXAR

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Santosh Rajbhar, Son of Laxman Rajbhar, Resident of Village - Beradera Chakki, P.s. - Bramhpur, District - Buxar.

.... Petitioner

Versus

1. The State of Bihar.
2. Lal Bahadur Singh, Son of Late Bishwanath, Resident of Village - Mukunddera, P.S. - Nawanagar, District - Buxar.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

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

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 30-09-2016 Heard Sri Mohan Srivastava, learned counsel, who was assisted by Sri Vijay Kumar, learned counsel for the petitioner and Sri Ajit Kumar, learned Addl. Public Prosecutor.

The sole petitioner has approached this Court, invoking its inherent jurisdiction under Section 482 of the Code of Criminal Procedure, with a prayer to quash an order dated 16.07.2015 passed by Sri A.K.Srivastava, learned Addl. Sessions Judge-V, Buxar in Sessions Trial No. 151/13 (arising out of Dumraon P.S. Case No.200/12 registered for the offence under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

It was submitted by learned counsel for the

petitioner that the petitioner was not named in the F.I.R. and subsequently, the petitioner was made accused in the present case. He submits that the petitioner was falsely implicated in the present case.

Learned Addl. Public Prosecutor submits that it is true that the petitioner was not named in the F.I.R., but in the F.I.R. there is specific accusation that along with nine named accused persons, there were 3-4 unknown accused persons. By way of referring to the impugned order, the learned Addl. Public Prosecutor submits that during investigation, the petitioner was arrested, he was put on T.I.Parade and he was identified by the informant.

In view of facts and circumstances, there is no reason to interfere with the impugned order. The petition stands dismissed.

(Rakesh Kumar, J)

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