

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50905 of 2013

Arising Out of PS.Case No. -515 Year- 2011 Thana -JAHANABAD District- JEHANABAD

Manoj Kumar @ Sanjay Kumar S/O Binda Prasad, resident of Village-Korma, P.S- Islampur, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan

For the Opposite Party/s : Mr. Pushpa Sinha 2 (App)

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 21-07-2016 Heard Sri Pankaj Kumar Jha, learned counsel for the petitioner and Smt. Pushpa Sinha, learned Addl. Public Prosecutor.

The sole petitioner has approached this Court, invoking inherent jurisdiction under Section 482 of the Code of Criminal Procedure, with a prayer to quash an order dated 25.09.2013 passed by the learned Adhoc Additional District and Sessions Judge-III, Jehanabad in Sessions Trial No.304/2012 arising out of Jehanabad P.S. Case no.515/2011 registered for the offence under Section 406 of the Indian Penal Code and subsequently Sections 302, 365, 379, 120(B) of the Indian Penal Code were added. By the said order, the petition filed on behalf of the petitioner for his discharge under Section 227 of the Code of

Criminal Procedure was rejected.

Learned counsel for the petitioner submits that save and except the statement of one Chhoti Vishwakarma, who had stated that the petitioner and co-accused had stated before him about sale of two stolen Bolero, there is no material to connect the petitioner in the present case. Initially, the case was registered under Section 406 of the Indian Penal Code. Subsequently the dead body of the driver was recovered. During investigation, the name of the petitioner has come.

In view of facts and circumstances, the Court is satisfied that the court below has committed no error, while rejecting the discharge petition.

The petition stands dismissed.

(Rakesh Kumar, J)

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