

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35673 of 2013

Arising Out of PS.Case No. -107 Year- 2009 Thana -DANAPUR District- PATNA

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1. Santosh Kuamr Pandey son of Shri Ram Saran
2. Deepak Pandey @ Deepak Kumar Pandey son of Shri Ram Saran
3. Baban Kumar Pandey @ Mahendra Pandey @ Babal Pandey son of Shri Ram Saran
All Residents Of Village Jigarsandi (Kuhiya), P.S. Jehanaganj, District Ajamgarh (Uttar Pradesh).

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Ambastha

For the Opposite Party/s : Mr. Dinesh Singh (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 13-05-2016 Heard Sri Manoj Kumar Ambashtha, learned counsel
for the petitioners and Sri Dinesh Singh, learned A.P.P.

Three petitioners, have approached this court invoking its inherent jurisdiction under section 482 of the Code of Criminal Procedure for setting aside an order dated 18.5.2013 passed in Sessions Trial No. 30 of 2011 (arising out of Danapur P.S. Case No. 107 of 2009). By the said order petition for discharge filed on behalf of the petitioners was rejected. The F.I.R. was lodged under Section 364, 120(B) of the Indian Penal Code. Subsequently it was converted into Section 364 / 34 of the Indian Penal Code and charge sheet was also submitted.

Learned counsel for the petitioners at the very outset accepts that after rejection of discharge petition charge has already been framed. However, he tried to persuade the court to issue some direction in view of the order dated 30.3.2010 passed in Cr.W.J.C. No. 665 of 2009.

The court is of the opinion that since the petitioners have approached this court against the order of rejection of discharge petition and thereafter charge has already been framed, it would not be appropriate for this court to pass any favourable order.

The petition stands dismissed.

(Rakesh Kumar, J)

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