

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25829 of 2013

Arising Out of PS.Case No. -109 Year- 2010 Thana -CHANDAR District- BANKA

- =====
1. Tejo Yadav S/O Nepali Yadav Resident Of Village Manjhaladih, Police Station Chandan (Anandpur), District Banka.
 2. Nuneshwar Yadav @ Muneshwar Yadav S/O Nepali Yadav Resident Of Village Manjhaladih, Police Station Chandan (Anandpur), District Banka.

.... Petitioner/s

Versus

1. The State Of Bihar.
2. Devendra Yadav S/O Baleshwar @ Bhautha Yadav Resident Of Village Manjhaladih, Police Station Chandan (Anandpur), District Banka.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Balram Kapri

For the Opposite Party/s : Mr. Tapeshwar Sharma(App)

=====

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI

ORAL ORDER

2 17-05-2016 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioner's involvement during course of occurrence is found duly identified not only by the victim himself who is also the informant rather other witnesses also. From the order impugned it is evident that the I.O. had collected some materials by way of statements of different witnesses that these petitioners were not at all present on the day of occurrence rather they were at Kolkata and on that very material, it has been submitted on behalf of the petitioners that by those materials plea of alibi is exposed whereupon the petitioners should be

discharged. Plea of alibi is a sequence of trial. So far the presence of adequate materials are concerned, same is itself illustrated in the order impugned.

Consequence thereupon, instant petition is rejected.

(Aditya Kumar Trivedi, J)

AnilKrSinha/-

U		T	
---	--	---	--