

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18783 of 2016

Arising Out of PS.Case No. -2 Year- 2015 Thana -MANSURCHAK District- BEGUSARAI

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NIKESH KUMAR @ NIKESH JHA Son of Shri Uday Shankar Jha,
Resident of Village - Deeh Tola Tabhka, Police Station - Bibhutipur,
District - Samastipur.

.... Petitioner/s

VERSUS

THE STATE OF BIHAR OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Umanath Mishra, Adv.
For the State : Parmeshwar Mehta, APP.
For the Informant : Mr. Niraj Kumar, Adv.
Mr. Kaushal Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 02-08-2016 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor as well as learned counsel assisting

learned Additional Public Prosecutor.

Gone through the order impugned. Though from
perusal of the order impugned, it is evident that learned lower
court had perceived, the niceties of the relevant sections attracting
discharge/framing of charge but, own perception of the learned
lower court is found lacking.

Accordingly, order impugned is set aside. Petition is
allowed. Matter is remitted back to the learned lower court to
proceed afresh in accordance with law.

(Aditya Kumar Trivedi, J)

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