

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13220 of 2014

Arising Out of PS.Case No. -157 Year- 2010 Thana -MOTIPUR District- MUZAFFARPUR

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1. Rajendra Prasad Yadav, Son of Chalitra Roy
 2. Jitendra Kumar, Son of Rajendra Prasad Yadav
 3. Lalita Devi, Wife of Rajendra Prasad Yadav
 4. Satendra Kumar Yadav @ Satendra Kumar, Son of Rajendra Prasad Yadav

All residents of village- Pandey, P.s. Paroo, District- Muzaffarpur

.... Petitioners

Versus

1. The State of Bihar
2. Dasrath Roy, son of Late Ram Varan Roy, resident of Sadha dambar, P.S. Motipur, District- Muzaffarpur

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishor
For the Opposite Party/s : Mr. Jagdhar Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 29-07-2016 On call, a prayer is being made on behalf of the

petitioners for adjourning the case.

The prayer is refused.

Sri Jagdhar Prasad, learned Addl. Public Prosecutor
and Mr.Md. Sufyan , learned counsel, who has appeared on behalf
of the informant/Opp.Party no.2, have opposed the prayer for
adjournment.

It was submitted by learned counsel for the
informant/Opp.Party no.2 that the present petition was filed
against the order of rejection of discharge petition, whereas

subsequently charges were framed and during trial one witness has already been examined.

Keeping in view the fact that trial has already commenced, there is no reason to interfere with the impugned order. Virtually, the petition has now become infructuous.

Accordingly, the petition stands dismissed as the same has become infructuous.

(Rakesh Kumar, J)

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