

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19885 of 2014

Arising Out of PS.Case No. -46 Year- 2011 Thana -ALOULI District- KHAGARIA

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Sarvind Yadav, Son of Kailash Yadav, resident of Village Alouli, Police Station- Alouli, District- Khagaria

.... Petitioner

Versus

1. The State of Bihar
2. Prabhu Narayan Singh, son of Late Muni Lal Singh, resident of Village Alouli, Police Station Alouli, District- Khagaria

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Lallan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 29-08-2016 Heard Sri Viveka Nand Singh, learned counsel for the petitioner and Sri Lallan Kumar, learned Addl. Public Prosecutor.

The present petition was filed with a prayer to quash an order dated 21.02.2014 passed by the learned 1st Adhoc Additional Sessions Judge, Khagaria in Sessions Case No.171 of 2013 arising out of Alouli P.S.Case No.46/2011. By the said order, the petition filed on behalf of the petitioner under Section 227 of the Code of Criminal Procedure for his discharge was rejected.

In this case, by order dated 09.08.2016, while summoning photo copy of the case diary, a report was also called for regarding stage of the case, which has been received. On

perusal of the report, which is kept at Flag-A dated 17.08.2016, it is evident that before the court below, charge against the petitioner was framed on 16.06.2014 and thereafter out of nine witnesses, six prosecution witnesses have already been examined.

Since trial is going on, there is no reason to interfere with the matter. The petition stands dismissed. However, while dismissing the present petition, it is desirable to observe that the learned trial court may take appropriate steps so that trial may come to its logical end without unnecessary delay.

(Rakesh Kumar, J)

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