

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35452 of 2013**

Arising Out of PS.Case No. -113 Year- 1999 Thana -FORBESGANJ District- ARRARIA

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Raj Kumar Gupta, son of Late Satya Narayan Prasad Gupta, resident of  
village Simraha, Police Station Simraha, District Araria

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Jawahar Lal Gupta son of Late Satya Narayan Prasad Bhagat, resident  
of village Simraha, Police station Simraha, District Araria

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vivekanand Singh

For the Opposite Party/s : Mr. Umeshanand Pandit (App)

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      12-05-2016                      Heard Sri Vivekanand Singh, learned counsel for the  
  
petitioner and Sri Umeshanand Pandit, learned A.P.P.

The sole petitioner has invoked the inherent jurisdiction of this court under section 482 of the Code of Criminal Procedure with a prayer to quash an order dated 2.7.2013 passed by the learned 1<sup>st</sup> Additional Sessions Judge, Araria, in Sessions Trial No. 241 of 2012 (arising out of Forbesganj P.S. Case No. 113 of 1999) registered for the offence under section 363A, 364, 323 of the Indian Penal Code.

Learned counsel for the petitioner submits that the victim girl was none else but the daughter of his brother, who is informant in the present petition. On this ground alone he submits that it was a case of false implication and as such the learned trial

judge was required to discharge the petitioner whereas learned A.P.P. has placed reliance on the statement of the victim girl recorded under section 164 of the Cr.P.C. I have perused the material on record. I do not find any apparent error in the impugned order warranting interference.

The petition stands dismissed.

**(Rakesh Kumar, J)**

Praful/-

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