

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32436 of 2013

Arising Out of PS.Case No. -70 Year- 2007 Thana -JALE District- DARBHANGA

=====

Durganand Thakur , son of Mr. Bhola Thakur, resident of village
Ghoghraha Chatti, P.S. Jale, District Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Md.Imteyaz Ahmad

For the Opposite Party/s : Mrs. Asha Kumari (App)

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 06-05-2016 Heard Sri Md. Imteyaz Ahmad, learned counsel for the
petitioner and learned A.P.P.

The sole petitioner who is named in the F.I.R. in Jaley P.S. Case No. 70 of 2007 registered for the offence under section 341/ 323/ 307/ 504 of the Indian Penal Code and Section 3(x) of the Scheduled Caste And Scheduled Tribe (prevention of atrocities) Act, has approached this court invoking its inherent jurisdiction under Section 482 of the Code of Criminal Procedure with a prayer to quash an order dated 28.8.2012 passed by the learned 1st Additional District and Sessions Judge, Darbhanga in Sessions Trial No. 455 of 2010. By the said order the learned court below has rejected the petition filed under section 227 of the Cr.P.C. for discharge.

Learned counsel for the petitioner submits that from

perusal of the injury report no offence under section 307 of the Indian Penal Code is made out. He further submits that there was case and counter case and as such it was a fit case for discharge.

Besides hearing I have also perused the material available on record. After going through the same the Court is satisfied that the learned Sessions Judge has committed no error in rejecting the same. Accordingly, the petition stands dismissed.

Keeping in view the fact that F.I.R. was lodged in the year 2007 itself and case is still at the stage of charge, while dismissing the present petition it is desirable to direct the court below to proceed with the case expeditiously so that the case may come to its logical end without unnecessary delay.

Let a copy of this order be sent to the court below forthwith.

(Rakesh Kumar, J)

Praful/-

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