

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Revision No.226 of 2015

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1. Mahboob @ Mahboob Alam @ Md. Mahboob Son of Wakil
2. Madan Das Son of Late Ram Pd. Das Resident of village - Khajuribari,
P.S. Jogbani, District - Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Respondent/s : Mr. Nazir Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 16-03-2017 Heard learned counsel for the parties.

The petitioners are aggrieved by an order, dated 15.12.2014, passed by learned First Additional Sessions Judge, Araria in Special Case No. 02 of 2006, whereby the petitioners' application for their discharge under Section 227 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the **Code**) has been rejected.

I do not think that any purpose would be served by entertaining this application more than two years after passing of the said order since charges in the meanwhile must have been framed and trial must have progressed.

Learned counsel for the petitioners has submitted that there is absolutely no material collected in course of investigation



against the petitioners over and above an extra judicial confession of a co-accused.

This plea is certainly available to the petitioners to be raised at the appropriate stage of trial before the Court below.

This application stands disposed of with the observation as above.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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