

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51930 of 2013

Arising Out of PS.Case No. -98 Year- 2013 Thana -MOTIPUR District- MUZAFFARPUR

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Kamrul Hoda, Son of Abdul Hakim, of Village- Bishanpur Mahanand, P.S.- Kanti,
District- Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL JUDGMENT

Date: 29-06-2017

Heard learned counsel for the petitioner and the
learned counsel for the State.

2. This application, under Section 482 of the Code of Criminal Procedure, is directed against the order dated 11.11.2013 passed in Sessions Trial No. 515 of 2013 arising out of Motipur P.S. Case No. 98 of 2013, whereby the learned Adhoc Additional Sessions Judge-II, Muzaffarpur, rejected the application of the accused-petitioner, filed under Section 227 of the Code of Criminal Procedure for discharge, arriving at conclusion that there is sufficient material to frame the charge under Section 376 of the Indian Penal Code against the accused-petitioner.

3. On going through the impugned order, I find no



illegality in the impugned order amounting to abuse of the process of the court for interference in inherent jurisdiction under Section 482 of the Code of Criminal Procedure.

4. Accordingly, this application is dismissed. However, the petitioner would be at liberty to raise his defence/points in trial court at the appropriate stage.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

AFR/NAFR	
CAV DATE	
Uploading Date	30.06.2017
Transmission Date	30.06.2017

