

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30630 of 2014

Arising Out of PS.Case No. -80 Year- 2011 Thana -KADAMKUAN District- PATNA

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Phantush Kunwar @ Manoj Kunwar @ Phantush @ Manoj S/o Ramratan
Kunwar Resident of village - Gadhia, P.S. Chautham, District - Khagaria

.... Petitioner

Versus

1. The State of Bihar
2. Arya, daughter of Ashok Kumar Srivastava
3. Ashok Kumar Srivastava, son of not known, R/o 39/286, 10E, Rajendra Nagar, Patna-16, P.S.- Kadamkuan, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rakesh Chandra, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha (App)

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

8 29-08-2017 The petitioner filed this application for setting aside the order dated 12.6.2014 passed by learned A.D.J.VI, Patna in Sessions Case No.1576 of 2011 by which discharge petition filed under Section 227 of the Cr.P.C. was rejected.

Learned counsel for the petitioner submits that the petitioner being the father of F.I.R. named accused so has been made accused and after investigation police has submitted charge sheet though he was not named in the F.I.R. Even the so-called victim girl in her statement made under Section 164 of Cr.P.C. has not named this petitioner and no material is available to show any involvement of the petitioner.

Learned counsel for the State submits that there is



material in the case diary against this petitioner.

Having considered rival submissions and on perusal of record, there appears sufficient ground to proceed against the petitioner also, so finding no merit in this application it stands dismissed.

(Arun Kumar, J)

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