

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43071 of 2014

Arising Out of PS.Case No. -100 Year- 2013 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Abhay Singh S/o Satrugan Singh Resident of village- Rudal Pakri,
P.S.- Piprakothi, District- East Champaran.
 2. Pramod Singh S/o Late Laxmi Sinmgh Resident of village- Rudal Pakri,
P.S.- Piprakothi, District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Binod Kumar Mishra

For the Opposite Party : Mr. Anant Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 01-11-2017 Heard learned Counsel for the petitioners as well as
the learned Counsel for the State.

Learned Counsel for the petitioners submits that
both the petitioners were working at different places and were
not present at the place of occurrence.

However, there is allegation in the FIR itself that the
petitioners were also present along with others and one of the
accused shot dead the deceased. There is case and counter case.
The plea of alibi may be proved by the petitioners at the time of
trial. Disputed questions of fact cannot be considered at this
stage.

So there is no material to interfere with the



cognizance order.

The application stands dismissed.

However, the petitioners may raise the plea of alibi
at the appropriate stage.

(Arun Kumar, J.)

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