

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16078 of 2016

Arising Out of PS.Case No. -74 Year- 2015 Thana -BODHGAYA District- GAYA

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Shankar Yadav @ Sri Yadav son of Late Sohan Yadav alias Sausa Yadav, resident of village- Harli Khurd, P.S.- Bodh Gaya District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

: Mr. Ramashish, Advocate

For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 27-07-2017

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

2. This application under Section 482 of the Code of Criminal Procedure (for short 'the CrPC') has been filed for quashing of the order dated 22.02.2016 passed in Sessions Trial No.83 of 2015/423 of 2015 arising out of Bodh Gaya P.S. Case No.74 of 2015 whereby the learned 6th Additional Sessions Judge, Gaya has dismissed the application of the petitioner filed under Section 227 of the CrPC for discharge from the case.

3. I have heard learned counsel for the petitioner and learned counsel for the State and also perused the materials available on record.



4. It would be apparent from the allegations made in the FIR that the petitioner and others opened fire causing injury to several persons. Some of the victims sustained injury on vital parts of their body. The allegations made in the FIR were found true during investigation and the police submitted charge-sheet. There is corroborative medical report against them.

5. Having considered the materials available on record, if the trial court has decided to proceed with the trial and not to discharge the petitioner, I see no illegality in the order impugned.

6. Accordingly, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
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