

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.54110 of 2016**

Arising Out of PS.Case No. -226 Year- 2015 Thana -AKBARPUR District- NAWADA

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1. Aamir Hassan, son of Md. Masududdin, Resident of Village Pachrukhi, P.S. Akbarpur, District- Nawadah.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Md. Gyas Khan, son of Late Md. Kaushar Khan, Resident of Village- Pachrukhi, P.S. Akbarpur, District- Nawadah.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.  
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**

**ORAL JUDGMENT**

**Date: 05-07-2017**

This application under Section 482 of the Code of Criminal Procedure (for short 'Cr.P.C.') has been filed for quashing the order dated 11.11.2016 passed by the learned Additional Sessions Judge-II, Nawadah in Sessions Trial No. 415 of 2016/ 319 of 2016 arising out of Akbarpur P.S.Case No. 226 of 2015 whereby the learned court has rejected the petition for discharge filed by the petitioner under Section 227 of the Cr.P.C.

2. The petitioner has been made accused in Akbarpur P.S.Case No. 226 of 2015 registered under Sections 448, 354, 307, 326-A/34 of the Indian Penal Code.

3. It would be evident from perusal of the impugned order



dated 11.11.2016 that the complicity of the petitioner was found on the basis of statement of the victim Soni Praveen made under Section 164 of the Cr.P.C. There is allegation that on the direction of this petitioner, the co-accused Md. Ashan and Belal threw acid on the body of the victim Soni Praveen causing serious burn injury on whole face, both eyes and left ear. As per injury report, the victim had sustained 42% burn injury on her whole body, which was found grievous in nature.

4. Having noticed such materials on record, the court below dismissed the application of the petitioner filed under Section 227 of the Cr.P.C.

5. I see no illegality in the order impugned. Accordingly, the application is dismissed.

**(Ashwani Kumar Singh, J)**

Pradeep/-

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