

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12573 of 2015

Arising Out of PS.Case No. -779 Year- 2013 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Rajesh Das, Son of Nebi Lal Das, Resident of village- Mewalal Chauk, P.S.
Marnga (K. Hat), District Purnea

.... Petitioner/s

Versus

1. The State of Bihar
2. Sawitri Devi, Wife of Hari Narayan Ravidas, Resident of village- Kusiargaw,
P.S. Araria, Dist. Araria

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Sadanand Paswan, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 17-02-2018

1. This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 21.01.2015 passed by the learned 2nd Additional District Judge, Purnea, in Sessions Trial No. 800 of 2014 arising out of Complaint Case No. 779 of 2013 by which the learned 2nd A.D.J. has rejected the petition of the petitioner for discharge.

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

3. Report was called for from the court below from which it appears that after commitment of the record to the Court of Sessions, the charge has been framed against the petitioner on



28.04.2015 for the offence under Section 376 and 511 of the Indian Penal Code. The case is pending for evidence of witnesses. The court below has mentioned in the report that he is conducting Sessions Trial on top priority basis and if the prosecution/complainant will cooperate, the trial will be concluded within six months.

4. In this manner, from the report of the learned court below it appears that charge has already been framed in the case and the case is pending for evidence.

5. Therefore, this Court is not inclined to interfere with the impugned order.

6. This Criminal Miscellaneous application is accordingly dismissed.

7. The court below is directed to conclude the trial as early as possible preferably within the period as mentioned in his report after taking all steps for appearance of the witnesses in accordance with law.

(Sanjay Priya, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	21/02/2018
Transmission Date	21/02/2018

