IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8203 of 2015

Arising Out of PS.Case No. -333 Year- 2011 Thana -BANKA District- BANKA

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1. Maheshwari Singh
2. Shiv Shankar Singh
3. Sager Singh All son of Late Bateshwer Singh
4. Chhabbu Singh @ Pramod Singh S/o Late Nand Kishore Singh All Resident of village- Surakol, Police Station- Banka, District- Banka

.... Petitioner/s

Versus

1. The State of Bihar
2. Gopal Thakur S/o Late Triloki Thakur, Resident of village- Surakol, Police Station- Banka, District- Banka

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Jai Ram Singh
For the Opposite Party/s : Mr. J.Upadhyay(App)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 19-03-2018 Heard learned counsel for the petitioner and learned counsel for the State.

This application has been filed for quashing the order dated 07.01.2015 passed in S.Tr. No. 1263 of 2012 arising out of Banka P.S. Case No. 333 of 2011 under Sections 341, 323, 337, 307, 504/34 of the Indian Penal Code passed by learned Additional Sessions Judge-6th, Banka by which he has rejected the petition under Section 228 (1) of Cr.P.C.

A report has been called for from the court below about the present stage of the trial which has been received. The court below has mentioned in the report which is kept at flag 'X'

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that charge has been framed on 04.07.2016. After framing of charge one prosecution witness has been examined. Summons has already been issued to the witnesses and this case is likely to be disposed off within six months, if both parties conclude their evidence.

In such circumstances, this Court does not deem it proper to interfere with the impugned order. This application is accordingly disposed off, with direction to the court below to proceed in the trial in accordance with law and make efforts to conclude the same within the period as mentioned in the report.

(Sanjay Priya, J)

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