

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12757 of 2015

Arising Out of PS.Case No. -181 Year- 2012 Thana -PAHARPUR District -
EASTCHAMPARAN(MOTIHARI)

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Raushan Mishra, S/o Shatrudhan Mishra, Resident of village - Ganga Pipra, P.S.
Paharpur, Distt. - Motihari

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Aslam Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 05-02-2018

1. This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 26.11.2014 passed by the learned 5th Additional Sessions Judge, East Champaran, in Sessions Trial No. 321 of 2013 by which the learned Sessions Judge has framed charge against the petitioner and his other family members for the offences under Sections 366/34, 366A, 376/34 and 365/34 of the Indian Penal Code.

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

3. Learned counsel for the petitioner has submitted that the victim girl has married with this petitioner. The court below has framed charge in this case against the petitioner along with other



accused persons by the impugned order.

4. Learned A.P.P. has submitted that these things can be better adjudicated by the court below during Trial.

5. Since the charge has already been framed, this Court is not inclined to interfere with the impugned order.

6. The petitioners are given liberty to file petition before the court below for expeditious disposal of the case in the event both are living together and in that event the court below will dispose off the case as early as possible preferably within a period of six months from the date of filing of such petition by the petitioner in the court below.

7. This Criminal Miscellaneous application is accordingly disposed off with aforesaid observation.

(Sanjay Priya, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	15/02/2018
Transmission Date	15/02/2018

