

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40012 of 2015

Arising Out of PS.Case No. -416 Year- 2005 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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1. Manikant Poddar Son of Late Banarsi Poddar
2. Indu Devi Wife of Manikant Poddar Both residents of Malgodown Road, P.S. Khagaria, District - Khagaria
3. Rekha Devi Wife of Bholi Poddar
4. Bholi Poddar @ Om Prakash Poddar Son of Late Jamun Poddar Both residents of village - Choti Chak, P.S. Gogari, District - Khagaria

.... Petitioner/s

Versus

1. The State of Bihar
2. Helan @ Baby Devi Wife of Mantun @ Narayan Poddar resident of village - Malgodown Road, P.S. & District - Khagaria at Present residing at village - Amni, P.S. Mansi Chautham, District - Khagaria

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Uday Singh

For the Opposite Party/s : Mr. Ashok Kr.Singh 1(App)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 18-04-2018 Keeping in view that the application for discharge has been rejected by the Court below after not only taking note of the complaint but also the statement of the witness recorded at the time of taking cognizance of the matter at this stage in a proceeding under Section 482 it is not appropriate for this Court to go into the teneability and the justification of the evidence available evaluate it and discharge the applicant. It is being beyond the jurisdiction available to this Court under Section 482, I dispose of the matter with liberty to the petitioner to raise all the objections which may be raised, at the time of trial.

With the aforesaid, the matter stand disposed of.

Sanjeev/-

(Rajendra Menon, CJ)

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