

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26518 of 2015

Arising Out of PS.Case No. -76 Year- 2012 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

=====

Bahadur Rai, son of Sri Dhukaran Ram, resident of village - Mithanpura, P.S. -
Mehsi, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Salma Begum, wife of Rasul Ansari, resident of village - Mithanpura, P.S. -
Mehsi, District - East Champaran.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 20-04-2018

This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the order dated 30.03.2015 passed by the learned 5th Additional Sessions Judge, East Champaran, Motihari, in Sessions Trial No. 07 of 2014 arising out of Mehsi P.S. Case No. 76 of 2014 by which the learned Magistrate has rejected the discharge petition of the petitioner filed under Section 227 Cr. P.C.

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

Report was called for from the court below about present stage of the trial which has been received. The court below



has mentioned in the report that the case at present is running at the stage of evidence. Total five prosecution witnesses including informant have been examined. Now the case is pending for examination of Investigating Officer and Doctor as well as two other witnesses.

Therefore, under these circumstances, the stage of the case has changed. After framing of charge, the trial is proceeding.

Accordingly, this Court does not seem it proper to interfere in the impugned order.

This Criminal Miscellaneous application is accordingly dismissed.

The court below will proceed in the trial in accordance with law.

(Sanjay Priya, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	24/04/2018
Transmission Date	24/04/2018

