

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21217 of 2015

Arising Out of PS.Case No. -1567 Year- 2009 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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1. Sonu Kumar Soni S/o Sri Dipak Soni
2. Dipak Soni
3. Suraj Soni Both S/o Late Dhanik Soni All Resident of Village Jhitkiyan,
P.S. Maheshkhunt, District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nathuni Thakur S/o Late Lakhpati Thakur Resident of Village Chhoti
Jhitkiyan, P.S. Maheshkhunt, District Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Singh, Adv.
For the State	:	Mr. Nawal Kishore Pd.(App)
For he O.P. No. 2		Mr. Amresh Kumar Sinha, Adv.
		Mr. Anil Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 12-02-2018 Heard the learned counsel for the petitioners and
learned A.P.P. for the State.

This criminal miscellaneous application has been filed
for quashing the order dated 31.03.2015 passed by learned 3rd, Ad-
hoc Addl. Sessions Judge, Khagaria in S.C. No. 17 of 2015.

It has been submitted on behalf of the informant that in
the instant case prosecution evidence has already been closed, the
statement of the accused persons has been recorded on 05.12.2015
and a copy of the aforesaid statement is annexed as Annexure-B to
the counter affidavit. It is further submitted that at the time of



passing of the interim order on 16.12.2013, this fact was not brought to the knowledge of this Court.

The petitioner has challenged the order dated 31.03.2015 in this quashing application by which discharge application filed under Section 227 Cr.P.C. was rejected.

This Court is of the view that now the prosecution evidence, has been closed and statement of the accused has already been recorded under Section 313 Cr.P.C, therefore this court is not inclined to interfere in the impugned order

The petition is accordingly dismissed. The trial court will proceed in the trial in accordance with law.

(Sanjay Priya, J)

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