

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10531 of 2015**

Arising Out of PS. Case No.-156 Year-2013 Thana- DAUDNAGAR District- Aurangabad

Deepak Kumar Soni Son of Vijay Shankar Prasad, Resident of Village - Daud Nagar, Bam Road, Ward No. 17, P.S. - Daud Nagar, District -Aurangabad, Bihar.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Sahil Soni, Son of Anil Prasad, Resident of Mohalla Patwa Toli, Ward NO. 16 Near Durga Club, Daud Nagar, P.S. - Daud Nagar, District - Aurangabad, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan
For the Opposite Party/s : Mr.Surendra Pd.Singh, App

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 10-05-2019 The petitioner is an accused in Daud Nagar P.S. Case No. 156 of 2013, registered for the offence punishable under Section 394 of the Indian Penal Code and Section 27 of the Arms Act. His application for discharge has been rejected by the learned Adhoc Additional District & Sessions Judge-II, Aurangabad by an order dated 23.07.2014, which is under challenge in the present application filed under Section 482 of the Code of Criminal Procedure, 1973.

It is evident from the order impugned that the Court of learned Adhoc Additional Sessions Judge-II, has perused the police report which indicated the petitioner's presence near the



shop of the informant just before the occurrence. The Court below has taken note of the fact that one co-accused had disclosed about the petitioner's involvement in commission of the crime in his confessional statement.

In my view, the order impugned cannot be said to be suffering from any legal infirmity, warranting this Court's interference, exercising power under Section 482 of the Code.

I find no merit in this application which is accordingly, dismissed.

(Chakradhari Sharan Singh, J)

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