

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12560 of 2015

Arising Out of PS. Case No.-69 Year-2012 Thana- DIGHA District- Patna

1. Raju Rai @ Raj Kumar s/o Mani Shankar Rai
2. Mani Shankar Rai S/o Late Sita Ram Rai
Both are residents of Ghosuk Tola Near Polson, Digha Ghat, P.S.- Digha,
District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Narain Yadav, Adv

For the Opposite Party/s : Mr.B.M.P.Sinha, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 02-07-2019

Heard learned counsel for the parties.

2. Petitioners are aggrieved by order dated 18.12.2014 passed by learned A.D.J.-I, Patna in Sessions Trial No.90 of 2013 arising out of Digha P.S.Case No.69 of 2012 against that portion of the order whereby the petitioners have been asked to face trial for offences under Sections 307/149 I.P.C. also.

3. According to FIR, the petitioners and others variously armed with different weapon including a pistol entered into the house of the informant and on the order of petitioner- Mani Shankar Rai, another petitioner- Raju Rai fired from his pistol causing injury at the thigh of Jagdish Singh, the brother of the informant.



4. Challenge is on the ground that the Doctor has not recorded that firearm injury was noticed by him though the Doctor is of the opinion that grievous injury was there.

5. In my view, prima facie material is there to ask the petitioners to face trial under Sections 307/149 I.P.C.alongwith other offences. Hence, there is no merit in this application. Accordingly, it stands dismissed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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