

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40321 of 2019

Arising Out of PS. Case No.-80 Year-2018 Thana- Sangrampur District- Munger

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Sitaram Yadav Son of Late Harihar Yadav Resident of Village/Muhalla-
Birajpur, P.S. Sangrampur (Tetia Bamber), District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh
For the Opposite Party/s : Mr. Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-07-2019 Heard the learned counsel for the parties.

The petitioner has challenged the order dated 23.04.2019 passed by the learned Additional Sessions Judge-III, Munger in Sessions Trial No. 34 of 2019, whereby the prayer made on behalf of the petitioner for discharge has been rejected.

From the perusal of the order impugned, it appears that the grounds for seeking discharge is that the petitioner is only an order-giver and no overt act has been attributed against him and that he is 70 years old retired teacher.

This Court is afraid, these are no good grounds for discharging the petitioner from facing trial. The petitioner is



alleged to have given orders for attack, on which order, one of the accused persons fired at the informant, causing gun-shot injury to him.

No good ground has been made out for interference with the order impugned dated 23.04.2019.

Learned counsel appearing for the informant has submitted that after the rejection of the petition seeking discharge, charges have already been framed and the date has been fixed for examination of prosecution witnesses.

There is no merit in the petition and it is dismissed accordingly.

(Ashutosh Kumar, J)

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