

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.40177 of 2019**

Arising Out of PS. Case No.-10 Year-2018 Thana- AGIAON BAZAR District- Bhojpur

- 
- 
1. Manish Singh, aged about 26 years, male, Son of Nirmal Singh.
  2. Golden Singh, aged about 30 years, male, Son of Kamlesh Singh.
- Both Resident of Village - Katoriya, P.S.- Agiaon, Bazar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

---

**Appearance :**

For the Petitioner/s : Mr.Shiv Prasad Gupta  
For the State : Mr.Uday Chand Prasad  
For the O.P. No. 2 : Md. Atul Haque, Adv.

---

---

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

**ORAL ORDER**

2      04-07-2019                      The petitioners seek quashing of the order dated 29.04.2019 passed by the learned Addl. Sessions Judge-IX, Bhojpur at Ara in Sessions Trial No. 285 of 2018 arising out of Agiaon Bazar P.S. Case No. 10 of 2018, whereby the petition filed on behalf of the petitioners for discharge from the offence under Section 302 of the I.P.C. has been rejected.

2. The only ground urged on behalf of the



petitioners is that though the deceased received gunshot injuries in his abdomen, but died only after forty nine days, and that also from septicemia.

3. This cannot be a ground for discharge. The aforesaid ground can be raised at the time of trial by the petitioners.

4. There is no merit in the petition. The petition is accordingly dismissed.

**(Ashutosh Kumar, J)**

Praveen-II/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

