

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38861 of 2019

Arising Out of PS. Case No.-288 Year-2015 Thana- JAYNAGAR District- Madhubani

-
1. LALIT YADAV Son of Satya Narayan Yadav Resident of Village - Chharapatti, P.S.- Jaynagar, Distt - Madhubani.
 2. Ajit Kumar Yadav Son of Satya Narayan Yadav Resident of Village - Chharapatti, P.S.- Jaynagar, Distt - Madhubani.
 3. Satya Narayan Yadav Son of Late Rameshwar Yadav Resident of Village - Chharapatti, P.S.- Jaynagar, Distt - Madhubani.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Yadunandan Yadav Son of Late Batahu Yadav Resident of Village - Chharapatti, P.S.- Jaynagar, Distt - Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
For the Opposite Party/s : Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-07-2019 The petitioners have challenged the order dated 06.02.2019 passed by the learned Additional Sessions Judge, Madhubani in connection with Sessions Trial No. 184 of 2016 and 180 of 2016 arising out of Jay Nagar P.S. Case No. 288 of 2015 whereby their applications for discharge for the offences under Sections 364, 302, 201/34 of the Indian Penal Code has been rejected.

Mr. Gagan Deo Yadav, learned counsel for the petitioners has submitted that during the course of investigation, no direct evidence could be collected and the case is based only on suspicion. There is no eye



witness to the occurrence.

This Court is afraid, these cannot be the grounds on which a person could be discharged and not put on trial.

There is strong suspicion against the petitioners which is evident from the FIR and the materials collected during the course of investigation.

No good ground has been made out by the learned counsel for the petitioners for this Court to interfere with the order refusing to discharge them.

The observations made in this order are purely tentative and only for the purposes of disposal of the present petition which shall have no bearing on the case of the petitioners at the trial.

The petition stands dismissed with the aforesaid observation.

(Ashutosh Kumar, J)

krishna/-

U		T	
---	--	---	--

