

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12038 of 2021

Arising Out of PS. Case No.-231 Year-2018 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

-
1. Shankar Yadav, S/O Late Sohan Yadav.
 2. Santosh Yadav, S/O Shankar Yadav.
Both are resident of Village Barsaliganj, P.S- Mojahidpur, District
Bhagalpur

... .. Petitioners

Versus

1. The State of Bihar
2. Rinku Kumar Yadav S/O Late Naresh Yadav R/O Village-Mahmadabad
Choudhary Dih, P.S-Lodipur, District-Bhagalpur.

... .. Opposite Parties

Appearance :

For the Petitioners : Mr. Abul Kalam, Advocate
For the Opposite Party : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 21-04-2022 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

The present application has been filed for quashing
the order dated 03.02.2020 passed by learned Additional District
and Sessions Judge, VI, Bhagalpur, in Sessions Trial No. 856 of
2018 arising out of Kotwali Barari P.S. Case No. 231 of 2018,
by which the learned Judge has rejected the discharge



application filed by the petitioner.

The petitioner cannot be discharged in a case registered under Section 302 of the Indian Penal Code without trial as the materials have come connecting the petitioner with the crime.

Accordingly, this quashing petition stands dismissed.

(Sandeep Kumar, J)

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