

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17225 of 2021

Arising Out of PS. Case No.-284 Year-2016 Thana- RUPAULI District- Purnia

1. Raman Singh @ Raman Kumar Son of Shashi Bhushan Singh Resident of Village- Gwalpara, Sadhwa Tola, Rupouli, District- Purnea.
2. Shashi Bhushan Singh @ Shashi Bhushan Mandal Son of Late Brindaban Singh Resident of Village- Gwalpara, Sadhwa Tola, P.S.- Rupouli, District- Purnea.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amardeep, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-04-2022 Heard counsel for the parties.

The petitioners are aggrieved by the order dated 7.3.2020 passed by the learned Additional Sessions Judge-Vth, Purnea in Sessions Trial No. 420 of 2017 (CIS No. 420 of 2017) arises out of Rupouli P.S. Case No. 284 of 2016 under sections 302, 201 and 120(B)/34 of the Indian Penal Code.

As per FIR lodged on 5.12.2016, the informant, Rinku Devi alleged that while she was cooking in her house, the cousin brothers of her husband, namely, Suman Singh and Raman Singh came in her court yard and took her husband with them on the pretext of some work. When he failed to return, the informant enquired about her husband to Raman Singh and



Suman Singh but they gave evasive reply. On 5.12.2016, she got information that dead body of her husband is lying near “Badhar”. She alleged that Suman Singh, Raman Singh, Shashi Bhushan Singh, Gokul Singh, Dinesh Singh and Dinesh Paswan committed murder of her husband by strangulating him and threw the body in the “Badhar”.

The matter was investigated and the police submitted charge-sheet against the accused persons and the discharge petition under section 227 of the Code of Criminal Procedure was filed before the learned Trial Court. The learned Trial Court an vide order dated 7.3.2020 after recording his satisfaction that there is sufficient material against the petitioners to put them on trial dismissed the said discharge petition and the case was further adjourned for framing of charges.

Against the said order, this petition under Section 482 of the Cr.P.C. has been filed.

Heard learned counsel for the petitioners.

As per the learned counsel for the petitioner, the petitioners herein are innocent and in fact it is the informant side which was behind the murder of the Gandhi Singh which has also come up in the supplementary case diary and as such he submits that the learned Trial Court has erred in not looking into



the matter and passing the said order in a mechanical manner.

This Court has gone through the facts of the case as also the order dated 7.3.2020 passed by the learned Vth Additional Sessions Judge, Purnea in Sessions Trial No. 420 of 2017 and finds no error in the order.

In the aforesaid facts and circumstances, the application is hereby dismissed.

(Rajiv Roy, J)

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