

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62486 of 2021

Arising Out of PS. Case No.-9 Year-2021 Thana- PATAHI District- East Champaran

Rajan Kumar Singh @ Ravi Ranjan Kumar S/O Avinash Kumar, R/o village- Jihuli, East Champaran, P.S.- Patahi, Ward No. 9, Bihar 845427, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Abhishek Kumar Singh, S/O Late Krishna Kant Singh, R/o village- Jihuli, P.S.- Patahi, District- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate
For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 01-12-2022 Heard learned counsel for the petitioner and learned APP for the State.

The learned counsel for the petitioner submits that the petitioner has filed this petition for quashing the order dated 13.09.2021 passed by learned 8th Additional District and Sessions Judge, Motihari, East Champaran in Sessions Trial No. 445 of 2021 whereby and whereunder the learned trial court rejected the discharge petition filed under Section 227 of the Code of Criminal Procedure by the petitioner. On query, learned counsel submits that during the pendency of this quashing petition, the charges have been framed and the prosecution evidence is being recorded and till date, eight witnesses have



been examined on behalf of the prosecution.

Since the matter has proceeded further and the learned trial court is *in seisin* the matter, issue raised by the petitioner in his petition before this Court could be considered by the learned trial court. As the matter has become infructuous before this Court, I do not think any useful purpose would be served in continuing with the present petition. However, the petitioner is at liberty to raise all issues before the learned trial court.

This petition is disposed of with liberty as aforesaid.

(Arun Kumar Jha, J)

V.K.Pandey/-

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