

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13285 of 2023

Arising Out of PS. Case No.-17 Year-2013 Thana- MAHESI District- East Champaran

MD. ISHLAM @ MD. ISHLAM ANSARI Son of Late Abdul Gaffur R/o
vill.- Bhishampur, P.S.- Meshi, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Dhannjay Kumar No 2
For the Opposite Party/s :	Mr.Suman Kumari Singh
	Mr. Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 16-03-2023 Heard the parties.

The present application has been filed for quashing the order dated 27.01.2022 passed by the Addl. District and Session Judge, 17, East Champaran at Motihari in Session Tr. No. 586 of 2013 arising out of Mehshi P.S. Case No. 17/2013 whereby and whereunder the learned Court below has rejected petition under Section 319 of Cr. P.C. when accused names have come during deposition but Court below refused to summon them.

It is submitted on behalf of the petitioner that the petitioner was exonerated during investigation, final form was accepted thereafter the prosecution has filed an application for summoning the accused under Section 319 of the Cr. P.C. The



court below by a detailed and reasoned order has rejected the application of the prosecution.

There is no legal infirmity which warrants interference in the order of the trial Court. It is, accordingly, dismissed.

(Sandeep Kumar, J)

Saif/-

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

