

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34907 of 2015

Arising Out of PS. Case No.-130 Year-1996 Thana- HARSIDHI District- East Champaran

1. Subash Sah, son of Late Raghunath Sah.
2. Om Prakash Sah son of Late Dayali Sah.
3. Vijay Sah @ Amrendra Kumar son of Subash Sah
All are residents of village- Gayghat, Police Station Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. P.K.Choursiy, aapp

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 23-02-2023 Heard the parties.

This application has been filed for quashing of the order dated 04.07.2015 passed in Sessions Trial No. 400 of 2011, arising out of Harsidhi P.S. Case No. 130 of 1996 by learned With Additional Sessions Judge, East Champaran at Motihari.

Learned counsel for the petitioners submit that no offence is made out and he wants this Court to believe the defence of the petitioners.

At the stage of framing of charge *prima facie* case is to be seen and if *prima facie* case is made out then the petitioners cannot be discharged.



Considering the aforesaid facts as well as the law laid down by the Hon'ble Supreme Court in the case of ***Saundra Rasu Vs. State of Karnataka (through the Deputy Superintendent of Police) 2022 (4) PLJR 4 SC***, this application is dismissed.

Call for a report of Sessions Trial No. 400 of 2011, arising out of Harsidhi P.S. Case No. 130 of 1996, from the trial court as to why the sessions trial is not being disposed of.

Let a copy of this order be communicated to the District Judge, East Champaran at Motihari through FAX/E-mail forthwith.

(Sandeep Kumar, J)

Ranjeet/-

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

