

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21828 of 2023

Arising Out of PS. Case No.-504 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

Raifal Paswan @ Vinay Kumar, Son Of Nathuni Paswan, Resident Of Village
- Betari, P.S. - Bhabua, Distt. - Kaimur At Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor.

2. The petitioner's application for discharge under Section 227 of the CrPC has been dismissed by the learned Special Judge Excise No. 1 cum Additional District Judge-IV, Kaimur passed in Excise Case No. 617 of 2019, which order is under challenge in the present application under Section 482 of the CrPC.

3. Learned counsel appearing on behalf of the petitioner has submitted that except for confessional statement of co-accused disclosing the petitioner's name during the course of investigation, there is no material against him.

4. Without commenting upon the merits of allegation

against the petitioner in the First Information Report, I consider it apt to dispose of the present application with an observation that the petitioner shall be at liberty to take the stand, which has been taken in the present proceeding, at the stage of trial, which shall be considered by the court below in accordance with law.

5. This application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

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