

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46316 of 2015

Arising Out of PS. Case No.-61 Year-2002 Thana- BARACHATTI District- Gaya

1. Dinesh Yadav.
2. Surendra Yadav both S/o Narayan Yadav Both resident of Village- Tatriya, P.S. Fatehpur, Dist- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Ram Shankar Das, Spl.PP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-03-2023 No one appears on call.

The petitioner has moved this Court for quashing of the order dated 17.04.2015 passed by learned Ist Cum Special Sessions Judge, Gaya in Barachhati (Mohanpur) P.S. Case No.61 of 2002 under Section 227 of the Cr.P.C.

As per the FIR, the informant alleged that in 2002 his family members were going to bed when the accused persons entered, variously armed and asked why noise is being made. When the informant's side stated that the children are making noise. Angered by that they started assaulting which resulted into death of two persons from the informant's side.

Accordingly, the police investigated the matter whereafter charge sheet submitted and cognizance taken, later



petition under Section 227 of the Cr.P.C. for discharge of accused was/were filed.

The same was taken up by the learned Special Judge, SC/ST Act, Gaya and vide reasoned order dated 17.04.2015 the same was rejected after observing that it is a case of strong suspicion of conspiracy in which the role of these petitioners cannot be overlooked.

Having gone through the facts of case as also the reasoned order of the learned Sessions Judge, no interference is required.

As such, the petition stands dismissed.

(Rajiv Roy, J)

Prakash Narayan /-

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