

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40698 of 2017

Arising Out of PS. Case No.-1 Year-2016 Thana- SAKATPUR District- Darbhanga

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Dhrub Kumar Chaudhary Son of Sushil Chaudhary, Resident of Village-
Lagma, P.S.- Sakatpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. D.K. Sinha, Sr. Advocate
		Mr. Kripa Nand Jha, Advocate
For the Opposite Party/s	:	Mr. Amit Kumar Rakesh, Advocate
For the Informant	:	Mr. Lalit Narayan Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 18-04-2023 Heard the learned counsel for the parties.

This application has been filed for quashing the order dated 15.07.2017 in Sessions Trial No. 229 of 2017 passed by learned Additional Sessions Judge-4th, Darbhanga whereby and where under the petition filed by this petitioner has been rejected without application of mind as also without any evidence against this petitioner and fixed the case for framing of charge.

It has been submitted by the learned counsel for the petitioner that discharge application of the petitioner has been rejected by the learned Trial court. He further submits that the learned Trial court has acted as a mere post office and has not discussed any material against the petitioners.



By a detailed order, the discharge application of the petitioner along with other co-accused has been rejected by the learned Trial Court after considering the entire materials available on record. This court is not sitting in appeal over the order impugned. The order has been passed considering all the materials available on record and discharge application has been rejected.

Considering the law laid down by the Hon’ble Supreme Court in the case of *State of Bihar vs Ramesh Singh 1977 SCC (4) 39*, this, application is dismissed.

(Sandeep Kumar, J)

Shishir/Vikas

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