

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27010 of 2023

Arising Out of PS. Case No.-153 Year-2022 Thana- BIKRAM District- Patna

1. VIMAL KUMAR @ BIMAL KUMAR SON OF RAMKESHWAR SINGH
RESIDENT OF VILLAGE- PAINAPUR, PO- WAZIRPUR, PS- BIKRAM,
DISTT- PATNA
2. MATHURA SINGH @ MATHURA PRASAD SINGH SON OF RAM
SEVAK RAI RESIDENT OF VILLAGE- PAINAPUR, PO- WAZIRPUR,
PS- BIKRAM, DISTT- PATNA
3. KUNDAN KUMAR SON OF VIMAL YADAV RESIDENT OF VILLAGE-
PAINAPUR, PO- WAZIRPUR, PS- BIKRAM, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Mishra
For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 26-04-2023 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

This is an application for quashing an order dated
20.03.2023 passed in Session Trial No. 1319/2022 passed by
learned Additional Sessions Judge-I, Danapur, whereby and
where under he has rejected the petition dated 04.01.2023 filed
by the petitioners under Section 228(1)(a) of Criminal
Procedure Code to discharge them under Section 307 of Indian
Penal Code.

Considering the submission of the learned counsel for
the parties, the injured has sustained injury right below his



eyes. The submission of the petitioner that 307 of Indian Penal Code is not made out against the petitioner and can only be considered during the trial.

This application is dismissed in light of the Judgment of Hon'ble Supreme Court in the case of *State of Bihar Vs. Ramesh Singh 1977 SCC (4) 39.*

(Sandeep Kumar, J)

Sunnykr/-

U			
---	--	--	--

