

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28638 of 2022

Arising Out of PS. Case No.-9 Year-2017 Thana- SINGHIYA District- Samastipur

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1. RAM PRAVESH JHA S/o Late Gopi Raman Jha @ Gopi Chandra Jha Resident of Village- Wari Ward No.11 Bari, P.s.- Singhia, District- Samastipur.
 2. Kaushalesh Raman Jha S/o Ram Pravesh Jha Resident of Village- Wari Ward No.11 Bari, P.s.- Singhia, District- Samastipur.
 3. Shailesh Kumar Jha S/o Ram Pravesh Jha Resident of Village- Wari Ward No.11 Bari, P.s.- Singhia, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Most Radha Maharani W/o Late Ram Kumar Jha Resident of Village- Wari, P.O.- Wari, P.S.- Singhiya, District- Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishan Pd. Singh, Sr. Adv
		Mr. Durga Nand Jha, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 06-07-2023 This application has been filed for quashing the order dated 17.11.2021 passed by the learned A.D.J.-II, Rosera in Singhiya P.S. Case No. 09/2017, G.R. No. 56 of 2017/ST No. 55/2021 by which the petition dated 12.03.2021 filed for discharge under Section 227 of the Cr.P.C. has been rejected.

As per the prosecution case, the allegation against these petitioners is that they killed the husband of the informant and thrown the dead body in the wheat field.

Learned counsel for the petitioners submits that the



petitioners have been falsely implicated in this case and the petitioners are quite innocent and have committed no offence.

Learned counsel for the State has vehemently opposed the prayer for quashing the impugned order.

Petitioners are accused under Section 302 of the I.P.C. and at the stage of framing of charge, strong *prima-facie* case has been found against these petitioners and this Court is not inclined to interfere in this case as this case is of Section 302 of the I.P.C.

Accordingly, this application is dismissed. However, the trial Court is directed to consider the evidence against all the informant in its entirety at the stage of judgment so that innocent person is not punished.

This application stands dismissed.

(Sandeep Kumar, J)

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