

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50203 of 2022

Arising Out of PS. Case No.-75 Year-2016 Thana- HISUWA District- Nawada

BUDHAN YADAV S/o Late Amrit Yadav R/o Village- Dhanwan, P.S.- Hisua,
District- Nawada

... .. Petitioner

Versus

1. The State of Bihar
2. Pintu Kumar S/o Sri Rampravesh Chaudhary Circle Officer, Hisua, R/o village- Wajitpur, Panchsheel Nagar, P.S.- Barh, District- Patna

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Rajeev Nayan, Advocate
For the State	:	Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 13-03-2023 Heard learned counsel for the petitioner and
learned APP for the State.

This application has been filed for quashing of the order dated 30.06.2022 passed by learned Judicial Magistrate, 1st Class, Nawada, in Hisua P.S. Case No. 75 of 2016, by which the learned Magistrate has rejected the discharge petition filed by the petitioner.

I have considered the submissions of the parties. I have also gone through the records of the case.

From perusal of the records, it appears that during the investigation, it was found that the petitioner had not committed any crime and therefore, he was exonerated.



However, the Trial Court has rejected the discharge petition filed by the petitioner by a cryptic order without considering the materials which have come during investigation of the case.

Considering the aforesaid, this application is allowed. Accordingly, the impugned order dated 30.06.2022 passed by learned Judicial Magistrate, 1st Class, Nawada, in Hisua P.S. Case No. 75 of 2016 is hereby quashed.

(Sandeep Kumar, J)

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