

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49076 of 2019

Arising Out of PS. Case No.-355 Year-2018 Thana- PATLIPUTRA District- Patna

1.

AKSHAT @ SHUBHAM KUMAR Son of Manoj Kumar Resident of Nehrunagar, P.S.- Patliputra (Near Forest Department), District- Patna
2.

Ayush Kumar Son of Sudhir Kumar Singh Village - Savindhur, P.S.- Lakhisarai, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

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11-05-2023

Heard learned counsel for petitioner and learned Additional Public Prosecutor.

The case has been argued by Mr. Ajay Thakur at length. He submits that no offence under section 307 is made out.

This question shall be raised by the petitioner at the stage of framing of charge and if such an application is filed, the Trial Court is duty bound to consider the same in accordance with law and keeping in view of the recent Judgment of Hon'ble Supreme Court in the case of *Kanchan Kumar Vs. State of Bihar (2022) 9 SCC 574*.

(Sandeep Kumar, J)

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