

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65173 of 2022

Arising Out of PS. Case No.-7 Year-2021 Thana- KESARIA District- East Champaran

Md. Sahim S/O Samsuddin Miyan, Resident of village- Dilawarpur, P.S.-
Kesariya, District- East Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Manjur Alam S/O Late Md. Ishak Miyan Resident Of Village- Dilawarpur,
P.S.- Kesariya, District- East Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Shashi Bhushan Pandey, Advocate

For the Opposite Parties : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 11-05-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

This application has been filed for quashing of the
order dated 17.08.2022 passed by learned 19th Additional
Sessions Judge, East Champaran, Motihari, in Sessions Trial
No.562 of 2022, arising out of Kesariya P.S. Case No. 07 of
2021, by which the learned Court below has dismissed the
petition filed by the petitioner under Section 227 of the Cr.P.C.

As per the F.I.R., the petitioner and other accused
persons entered into the house of the informant and assaulted
the mother of the informant. As a result of which, she sustained
serious injuries and ultimately died in course of treatment.



From the record, it appears that strong *prima facie* case is made out against the petitioner for trail. Hence, I do not find any error in the impugned order by which the learned Court below has dismissed the discharge petition filed by the petitioner.

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

(Sandeep Kumar, J)

pawan/-

U		T	
---	--	---	--

