

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3376 of 2022

Arising Out of PS. Case No.-72 Year-2019 Thana- BABUBARHI District- Madhubani

MD. JAVED AHMAD @ JAVED AHMAD SON OF LATE SAUD ALI R/O
VILLAGE- MISHRAULIYA, P.S.- BABUBARHI, DISTT.- MADHUBANI

... .. Appellant/s

Versus

1. The State of Bihar BIHAR
2. JIBACHI KHATOON WIFE OF LATE SAUD ALI R/O VILLAGE-
MISHRAULIYA, P.S.- BABUBARHI, DISTT.- MADHUBANI

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Gagandeo Yadav, Adv. Mr. Ravi Prakash, Adv. Mr. Udeshya Kumar Yadav, Adv.
For the State	:	Mr.Binay Krishna, APP
For the respondent	:	Mr. Sanjay Kumar Jha, Adv.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

17 02-05-2024 Heard the learned counsel for the appellant as well as
the learned counsel for the informant.

2. The appellant has preferred this appeal being
aggrieved by the order dated 10.06.2022, whereby the
application for discharge of the appellant was rejected.

3. Learned counsel for the appellant submits that the
witnesses in paragraph no. 21, 22 and 23 who are independent
witnesses have categorically stated that there was land dispute
between the informant and the appellant. The informant is step-
mother of the appellant and due to that dispute this case has
been filed.



4. On the other hand, the learned counsel for the informant has opposed the prayer of the appellant.

5. After considering the material available on the record, including the statements of the witnesses, in which they have corroborated the allegations against the appellant also under the provisions of SC/ST Act, the learned court below has dismissed the appeal. At the stage of framing of charge, the learned court is only to be satisfied whether there are *prima facie* material or not.

6. I do not find any illegality in the impugned order. Accordingly, this appeal is dismissed.

(Nawneet Kumar Pandey, J)

SONALI/-

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

