

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2602 of 2019

Arising Out of PS. Case No.-86 Year-2018 Thana- PARASBIGHA District- Jehanabad

Rajesh Kumar Late Naresh Prasad Resident of Holding No. 17, Khandakpar,
Near Sri Krishna Market, Shivaji Nagar, Bihar Sharif, P.O.- Bihar Sharif, P.S.
Bihar Sharif, District- Nalanda at Bihar Sharif.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Mukesh Singh Son of late Ram Nandan Singh Resident of Village-
Kutari,P.S.- Warsaliganj, District- Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Mishra
For the Opposite Party/s : Mr.Satyavrat Verma

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 17-03-2025 Heard the parties.

2. This application has been filed for quashing the order dated 8.10.2018 passed by the learned Additional Sessions Judge-II, Jehanabad in S.Tr. No. 332 of 2018 arising out of Paras Bigha P.S. Case No. 86 of 2018.

3. By the impugned order, the application of the petitioner filed for discharge has been rejected. While dismissing the discharge application, learned trial Judge has discussed the materials which have come in the case diary.

4. In the opinion of this Court, at the stage of framing of charge, the trial Judge has to examine the materials available on record and not the defence of the petitioner and if there is a



strong suspicion, charges are bound to be framed.

5. This is a fit case in which charge should be framed, as has been apparent from the impugned order and this Court finds no reason to interfere in this case.

6. Accordingly, this application is dismissed.

7. Since the sessions trial is of the year 2018, the trial Judge is directed to proceed in the matter and conclude the trial at the earliest and he is also directed to submit a report to this Court about the progress of the trial after six months.

8. Let a copy of this order be communicated to the District Judge, Jehanabad through FAX for its compliance.

(Sandeep Kumar, J)

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