

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65102 of 2018

Arising Out of PS. Case No.-229 Year-2012 Thana- KESARIA District- East Champaran

1. Sahadat Hussain @ Shahadat Hussain S/o Late Gulzar,
2. Md. Babu Zan @ Md. Babujan, S/o Late Gulzar,
3. Iftekhar alias Md. Iftekhar Hussain, S/o Rahat Hussain, All are Resident of Village- Baradih Bairia, P.S.- Kesaria, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Jaan, S/o Late Gulzar Hussain, Resident of Village- Baradih Bairia, P.S.- Kesaria, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No. III, Advocate
For the Opposite Party/s : Mr. Ram Priya Saran Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 04-05-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. This petition has been filed for quashing of the order dated 04.09.2018 passed by learned Additional Sessions Judge-VIII, Motihari, East Champaran in S.Tr. No. 287 of 2014, arising out of Kesariya P.S. Case No. 229 of 2012.

3. *Vide* order dated 30.03.2026, a report regarding present status of case was called for and the same was sent *vide* Letter No. 216 dated 07.04.2026 by the learned Trial Court. As per the said report of the learned Trial Court, it is stated that charge has been framed on 01.03.2019 and out of seven charge-



sheet witnesses, five witnesses have been examined including the doctor. Rest two witnesses i.e. I.O. and one public witness have not been examined. B/W sent upon I.O. and Do letter issued upon public witness. Next date i.e. 04.05.2026 is fixed for prosecution evidence.

4. Learned counsel for the petitioners submits that this case may be disposed of with liberty to the petitioners to take all the points as raised in this petition, before the learned Trial Court at appropriate stage in accordance with law.

5. Learned A.P.P. for the State has no objection to this prayer of the petitioners.

6. In view of the above, this case stands disposed of with liberty to the petitioners, as prayed for.

(Sunil Dutta Mishra, J)

utkarsh/-

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

