

IN THE COURT OF ADDL. DISTRICT & SESSIONS JUDGE-I, JHANJHARPUR

Sessions Trial Case No. 203/2021

Date	Ordersheet	Remarks
24.02.2023	Attendance filed on behalf of accused persons. Case is posted for order on petition dated 22/7/2022 filed on behalf of accused persons under section 227 of CRPC to discharged them in this case after hearing both sides. It has a stated in the aforesaid petition under section 227 CRPC that there is no material on case diary to frame charges against the petitioners in this case therefore accused person may be discharged in this case. Learned additional public prosecutor has opposed the prayer for discharge during hearing and stated that chargesheet has been filed against the petitioners in this case under section 302/120 B IPC and there is sufficient material to frame charges against the petitioners therefore petition filed on behalf of accused persons to discharged them is fit to be rejected. It appears that instant sessions trial case number 203/2021 has arised from Madhepur police station case number 152/2020 which has been instituted against the petitioners on the basis of statement of informant Beena Devi recorded by the SHO at the emergency ward of PHC Madhepur . Informant has stated during have that on 12/10/2020 at about 2:30 PM when she was at her house and her son namely Sandeep Kumar was at the Dalan then accused person namely Deo Narain Mahto, Vidyanand Mahton and Shyamdeo Mahton came and took son of informant with them to their house and tied the legs and hands of Sandeep Kumar and started assaulting him and when informant heard cry of her son then she went to the house of accused persons and she noticed apart from aforesaid accused persons other accused persons namely Sheela Devi, Shanti Devi and Surendra Mahto are assaulting her son Sandeep Kumar by means of lathi and when informant tried to save her son then accused pushed her away. Informant has also stated that later on choukidar admitted her son at PHC. Informant has also stated that all the 6 accused persons in collusion had assaulted her son and due to that her son succumbed to the injury and died it appears from the record that chargesheet has been submitted against the all the accused persons named above in this case under section 302/120 B IPC after investigation and it appears from case diary that during investigation informant has supported the allegations against the accused persons and other witnesses have also supported the allegations and post-mortem report of deaceased is also available with the case diary which reveals that deceased had suffered multiple antemortem injuries. So there is sufficient material on the case diary to frame charges against all the petitioners under	

Contd..... 24.02.2023	section 302/120 B IPC in this case. Therefore considering aforesaid facts discharge petition filed on behalf of accused persons is hereby rejected. Put up on dated 18-03-2023 for framing of charge and accused persons are directed to be physically present on date fixed. Dictated Succ. Additional District And Sessions Judge 1ST, Jhanjarpur	Remarks
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