

**Santosh Kumar Sharma @ Santosh Kumar Vs. the State of Bihar**

**Santosh Kumar Sharma @ Santosh Kumar Vs. the State of Bihar**

**SooperKanoon Citation :** [sooperkanoon.com/975107](http://sooperkanoon.com/975107)

**Court :** Patna

**Decided On :** May-11-2012

**Appellant :** Santosh Kumar Sharma @ Santosh Kumar

**Respondent :** The State of Bihar

**Advocate for Pet/Ap. :** Sri. Arun Kumar

**Judgement :**

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous  
No.36290 of 2011 Santosh Kumar Sharma @ Santosh Kumar, Son of Upendra  
Sharma, resident of Village-Mafo, Police Station-Mehus, District- Sheikhpura  
----- Petitioner Versus The State Of Bihar  
-----

11. 01-2012 Heard Sri Arun Kumar, learned counsel for the petitioner and Sri Hirday Narayan Singh, Addl. Public Prosecutor. The petitioner has prayed for quashing of an order dated 06.09.2011 passed by learned Addl. District Judge, F. T.C. III, Sheikhpura in Sessions Trial No.373A of 2011, whereby the learned trial Judge has rejected the petition filed for discharge under Section 227 of the Code of Criminal Procedure. Learned counsel for the petitioner submits that at the time of occurrence, he was already in his Institute at Jabalpur and, as such, there was no occasion for the petitioner to remain present at the place of occurrence. It was further submitted that the case was investigated by a Police Officer, who was one of the members of the raiding party. On the aforesaid two grounds, it has been prayed to quash the impugned order. I have perused the impugned order. I do not

find any merit in this application. Accordingly, the petition stands dismissed. ( Rakesh Kumar, J.) NKS/-

**SooperKanoon - India's Premier Online Legal Search - [sooperkanoon.com](http://sooperkanoon.com)**