

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15831 of 2016

Arising Out of PS.Case No. -4 Year- 2016 Thana -KUSHESHWARSTHAN District-
DARBHANGA

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1. Md. Israfil son of Late Md. Liyaqat, Resident of village- Goda, P.S.-
Kusheshwar Asthan, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar
2. Rajiya Khatoon wife of Md. Mahmood, Resident of village- Goda, P.S.-
Kusheshwar Asthan, District- Darbhanga

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Subhas Singh, Advocate
For the Opposite Party/s : Mr. Dinesh Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-07-2016

The present application has been filed for quashing of the First Information Report in connection with Kusheshwar Asthan P.S. Case No. 04 of 2016, registered under Sections 342, 376 of the Indian Penal Code and Section 4 of the Protection of Children from the Sexual Offences Act.

It is submitted by the learned counsel for the petitioner that in the background of civil nature of dispute and pending Title Suit the accusation has been levelled.

In view of this Court, the F.I.R. can be quashed only if the accusation does not constitute a cognizable offence or the prosecution is barred under certain law.

The application is disposed of with liberty to the petitioner to raise all the contentions after submission of Final Report under Section 173 (2) Cr.P.C.

(Dinesh Kumar Singh, J)

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