

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46736 of 2013

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Kundan Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey

For the Opposite Party/s : Mr. Dr. Ajit Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD
ORAL ORDER

5 03-08-2017 The petitioner in the present case is seeking quashing of the entire proceeding in G.R. No. 2895 of 2011 including the order dated 21.07.2012 passed by the learned Additional Chief Judicial Magistrate, Danapur, Patna, whereby and whereunder the learned Additional Chief Judicial Magistrate was pleased to take cognizance of the offences under Sections 341, 323, 504 and 447 of the Indian Penal Code.

A perusal of the records goes to show that the petitioner has himself enclosed an order dated 13.08.2013 passed under Section 239 of Cr.P.C. in the present case, whereby the learned Judicial Magistrate, 1st Class, Danapur has passed an order for framing of charge after rejecting his application under Section 239 of Cr.P.C. The petitioner has not challenged the order framing charge against him. This being the position, the application against the order taking cognizance cannot proceed.



In the circumstances, the application stands dismissed.

(Rajeev Ranjan Prasad, J.)

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