

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 48745 of 2014**

Arising Out of P.S. Case No.-18 Year-2002 Thana- JAMALPUR District- Darbhanga

Pradip Prasad Son of Late Gajandra Prasad, Resident of Parmeshwar Dayal Road, Barmasia, P.S. - Deoghar, District - Deoghar (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mahendra Sada Son of Late Thakan Sada, Resident of Village- Chanpakaria, P.S. - Jamalpur, District - Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the State : Mr. Jharkhandi Upadhyay, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 27-03-2019

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has moved the Court under Section
482 of the Code of Criminal Procedure, 1973 for the following
relief:

*“That this is an application to quash
the order dated 24.05.14 passed in Criminal
Revision No. 48/2011 (against the order dated
22/10/11 passed in Trial No. 743/11) by the
Learned Ad hoc Additional Session Judge II,
Benipur, Darbhanga arising out of Jamalpur P.S.
Case No. 18/2002 dated 15.04.2002 [T.R. No.-
380/14/ G.R. No.- 161/02] pending in Court Sh.
Abhijit Kumar, JM I Class, Biraul at Benipur,
Darbhanga.”*



3. At the very outset, learned counsel for the petitioner fairly submitted that now charges have also been framed.

4. Accordingly, learned counsel prayed that the matter be disposed off with liberty to the petitioner to raise all the points available to him, including those taken in the present petition, before the Court below itself at the appropriate stage.

5. Learned A.P.P. does not oppose.

6. In view of the aforesaid, the application stands disposed off with liberty aforesaid.

7. It goes without saying that all points available to the petitioner, including those raised in the present application, when raised on behalf of the petitioner before the Court below, at the appropriate stage, shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

P. Kumar

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