

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3081 of 2015**

Arising Out of PS. Case No.-65 Year-2011 Thana- GANDHIMAIDAN District- Patna

Ashutosh Kumar S/o Late Satyanarayan Prasad of Mohalla- Laxmipur, P.S.
and District- Madhepura, at present 601, Sahi Complex, Dakbanglow, P.S.-
Kotwali, District- Patna

... .. Petitioner/s

Versus

1. State of Bihar
2. Sheema Jaiswal W/o Ajay Mal, resident of M 66B Ladosarai, Mehrauli,
New Delhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madan Prasad Singh, Advocate Mr. Arun Kumar Singh, Advocate
For the Opposite Party/s	:	None
For State	:	Mr. Jharkhandi Upadhyay, APP

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

ORAL ORDER

6 16-04-2019 Heard learned counsel for the petitioner and learned
APP 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 application is for quashing
the order of cognizance dt. 11.01.2013 passed in
Gandhi Maidan P.S. Case No. 65/11 by C.J.M.
Patna where under cognizance against the
petitioner and another has been taken under
section 406, 420 and 120B IPC or pass such
other order/orders which may be found just and
proper.”*

3. After some arguments, learned counsel for the



petitioner submitted that the application be disposed off with liberty to the petitioner to raise all points available to him, including those raised in the present application, before the Court below itself, at the appropriate stage.

4. In view thereof, the application stands disposed off with liberty aforesaid.

5. If the petitioner files an application before the Court below itself at the appropriate stage, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

6. The document received be returned forthwith.

(Ahsanuddin Amanullah, J.)

P. Kumar

