

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 51598 of 2014

Arising Out of P.S. Case No.-4 Year-1997 Thana- PURNEA SADAR District- Purnea

Balbir Chand @ Chand Yadav @ Balbir Yadav, Son of Late Hariballav Yadav,
Resident of village- Chukti, P.S.- Mansi, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raj Kumar Sao, S.I., Sadar Police Station, Purnea, P.S. & District- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mahendra Thakur and Mr. Bhim Kumar Yadav, Advocates
For the State	:	Mr. Binod Kumar No. 3, A.P.P.

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

ORAL ORDER

3 03-04-2019 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 application is being filed on
behalf of the petitioner above named for the
quashing the order dated 31.07.2006 passed by
the learned C.J.M., Purnea in connection with
Purnea Sadar P.S. Case No. 04/97 whereby and
where under the learned C.J.M., Purnea has took
cognizance of the offence punishable under
Section 364A/ 120(B)/34 of the I.P.C. against the
petitioner and others in a most mechanical
manner, which is pending in the court of learned
C.J.M., Purnea G.R. No. 55/97 and for any
appropriate order/orders as this Hon’ble Court
thinks fit and proper in the facts and
circumstances of the case.”*



3. After some arguments, learned counsel for the petitioner submitted that the application be disposed off with liberty to him to raise all points available to him at the appropriate stage before the Court below itself.

4. Learned A.P.P. does not oppose.

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

6. It goes without saying that if the petitioner moves any application at the appropriate stage before the Court below, the same shall be considered on its own merit, in accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

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