

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11651 of 2021

Arising Out of PS. Case No.-407 Year-2019 Thana- DHANARUA District- Patna

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Sachin Kumar @ Guddu S/o Ashok Kumar Resident of Village-Chanaki, P.S.-
Dhanarua, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-04-2022 Heard learned counsel for the petitioner and

learned A.P.P for the State.

The present application has been filed for

quashing of the order dated 07.01.2020 passed by the

learned Sub-Divisional Judicial Magistrate, Masaurhi,

Patna whereby cognizance has been taken under

Sections 341, 323, 504, 498(A) of the Indian Penal

Code.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has



committed no offence and he has been falsely implicated in this case.

This Court has gone through the entire materials available on record. It is apparent that after lodging the F.I.R, investigation was completed and after completing the investigation, charge-sheet has been submitted only against this petitioner and with regard to rest of the accused persons, final form has been submitted.

This Court finds no illegality in the impugned order as learned Magistrate is well within the jurisdiction to take cognizance, if, *prima facie*, finding the case true against the petitioner. Hence, this Court is not inclined to interfere at this stage. However, the petitioner shall be at liberty to raise all the contentions at the time of framing of charge, if the charge has already not been framed.

With the aforesaid observation/direction, the application stands disposed off in connection with



Dhanarua P.S. Case No. 407 of 2019.

(Sunil Kumar Panwar, J)

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