

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10163 of 2023

Arising Out of PS. Case No.-384 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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SANGEET KUMAR Son of Ram Babu Yadav R/o Kabirchak Mathurapur,
P.S.- Sadar, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. GITANJALI DEVI Wife of Raj Kumar Mahto R/o Laxmi Nagar Bankers
Colony, P.S.- Sadar, District- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Syed Ashfaque Ahmad

For the Opposite Party/s : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 28-02-2023 Heard the learned counsel for the petitioner and

learned APP for the State.

This application has been filed for quashing the order dated 24.11.2022 passed in S.T. No. 540 of 2022 in connection with Darbhanga Sadar P.S. Case No. 384 of 2022 by which the learned Additional Sessions Judge- 1st Darbhanga was pleased to reject the petition of the petitioner filed under Section 227 of the Cr.P.C. for discharging him from the false, fabricated and concocted allegations.

By the impugned order dated 24.11.2022, *prima-facie* case at the stage of framing of charge is found by the Court below.



Keeping in view the law laid down by the Supreme Court of India in the case of *State of Bihar vs Ramesh Singh 1977 SCC 4 39* and *R. Soundirarasu vs State of Karnataka through D.S.P. 2022 4 PLJR 4 SC*, this application is dismissed.

This application is dismissed.

(Sandeep Kumar, J)

Shishir/Vikas

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