

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15225 of 2023

Arising Out of PS. Case No.-969 Year-2019 Thana- SAHARSA SADAR District- Saharsa

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DAMODAR JHA Son of Late Guneshwar Jha R/v- Patuaha, P.S.- Saharsa
Sadar, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hrishikesh

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

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 18-03-2023 Heard the parties.

This application has been filed on behalf of the petitioner for quashing the FIR of Saharsa Sadar P.S. Case No. 969 of 2019 registered under Sections 420, 406, 468, 471 and Section 34 of the Indian Penal Code.

The petitioner wants quashing of the FIR by considering his defence. Defence of the petitioner cannot be considered for quashing the FIR as has been held by the Hon'ble Apex Court in the case of *State of Bihar Vs. P.P. Sharma (1992) Supp (1) SCC 22*.

If the defence of the petitioner is found true then he will be exonerated by the investigating agency after investigation.



The petitioner will participate in the investigation and produce all his documents and other oral evidence in support of his his claim that the execution of the sale deed was by the father of the informant and not an imposter.

With the aforesaid observations, this application is dismissed.

(Sandeep Kumar, J)

Vikas/Shishir

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