

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10480 of 2023

Arising Out of PS. Case No.-231 Year-2020 Thana- GHOSI District- Jehanabad

1. KAUSHALENDRA KUMAR @ KOSHLENDRA KUMAR Son of Sri Bhola Sharma Resident of Village- Ginji, P.S.- Ghosi in the district of Jehanabad
2. ARUN KUMAR @ ARUN SHARMA Son of Sri Bhola Sharma Resident of Village- Ginji, P.S.- Ghosi in the district of Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sunil Kumar
For the Opposite Party/s :	Mr.Suman Kumari Singh
	Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 19-06-2023 Heard learned counsel for the petitioners and learned
APP appearing on behalf of the State.

The submission of the learned counsel for the petitioners is that no offence under Sections 341/323/308/504/506/34 of the Indian Penal Code is made out.

At the stage of the cognizance, this Court will not examine the facts of the case. The petitioners have a legal right to raise all the grounds at the stage of framing of charge.

If such an application is filed at the stage of framing of charge that no offence under Sections 341/323/308/504/506/34 of the Indian Penal Code is made out against the petitioners, the same shall be considered by the trial Court in the light of the law laid down by the Supreme Court in the case of



***Kanchan Kumar Vs. State of Bihar reported in (2022) 9 SCC
577.***

With the aforesaid observations and directions, this
application is disposed of.

(Sandeep Kumar, J)

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