

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9188 of 2016

Arising Out of PS. Case No.-2399 Year-2013 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Vinay Kumar Verma and Ors.

. ... Petitioner/s

Versus

State Of Bihar and Anr

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Yadav, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-09-2023 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The learned counsel for the petitioners submits that the present quashing application has been filed seeking quashing of the order dated 21.12.2015 passed by the learned A.D.J.-X, East Champaran at Motihari in Criminal Revision No. 65/2015/41/2015 arising out of Complaint Case No. 2399 of 2013 whereby the learned Sessions Judge interfered with the order of cognizance dated 20.02.2015 passed by the learned C.J.M, Motihari and remanded the matter back to the learned Trial Court for passing fresh orders in accordance with law.

3. On query of the Court, the learned counsel for the petitioners is not able to give the stage of the case presently.

4. The learned A.P.P. for the State very fairly submits that the quashing application has been filed seeking quashing of



the order dated 21.12.2015 passed by the learned A.D.J.-X, East Champaran at Motihari in Criminal Revision No. 65/2015/41/2015 arising out of Complaint Case No. 2399 of 2013 whereby the matter has been remanded back to the learned Trial Court for taking decision in accordance with law, it is next submitted that since the order of the learned A.D.J.-X is dated 21.12.2015, as such, after remand cognizance might have been taken. It is, thus, submitted that in the event if the Court interferes at this stage and cognizance has been taken, the entire effort of the Court would go futile.

5. Considering the submissions made by the learned A.P.P, the Court is not inclined to entertain the quashing application.

6. Accordingly, the present quashing application stands dismissed.

7. However, the same would not preclude the petitioners from raising all issues at the time of framing of charge, if charges, till date, have not been framed.

(Satyavrat Verma, J)

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