

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22153 of 2023

Arising Out of PS. Case No.-15 Year-2022 Thana- MAHILA P.S. District- Bhagalpur

ANISH PRIYADARSHI, Son of Shiv Shanker Prasad Singh, R/V- Bath, P.S-
Bath in the district of Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gopal Prasad Roy, Advocate Mr. Deepak Kumar, Advocate
For the State	:	Mr. Md. Fahimuddin, APP
For O.P. No. 2	:	Ms. Preety Kunwar, Advocate Mr. Diwakar Upadhyaya, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is an accused of commission of the offences punishable under Sections 376, 323, 313, 504, 506 read with 34 of the Indian Penal Code and Sections 4/6 of the POCSO Act in connection with Mahila (Bhagalpur) P.S. Case No. 15 of 2022. He has filed the present application under Section 482 of the CrPC for quashing of an order dated 28.11.2022 passed by learned Additional District and Sessions Judge-VI-cum-Special Judge (POCSO Act), Bhagalpur, whereby his application for discharge under Section 227 of the CrPC has been rejected. The petition filed under Section 227 of



the CrPC has not been brought on record in this application.

From the impugned order, it transpires that the petitioner took a plea before the court below in his application under Section 227 of the CrPC that he was innocent and no evidence was adduced by the prosecution against the petitioner. He also took a plea that he was an educated person and he did not have any criminal history. The grounds taken by the petitioner for his discharge under Section 227 of the CrPC are not at all acceptable. The trial court has rightly rejected his petition filed under Section 227 of the CrPC by the impugned order.

I do not find any merit in this application, which is accordingly dismissed.

(Chakradhari Sharan Singh, J)

Rajesh/-

U		T	
---	--	---	--

