

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22302 of 2023**

Arising Out of PS. Case No.-364 Year-2021 Thana- MOKAMAH District- Patna

=====

SUMAN SAURAV KUMAR @ SONU PAHALWAN Son of Surendra Rai  
Resident of Village - Mekra, P.S.- Mokama, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Dashrath Mehta

=====

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      04-07-2023                      This application has been filed for quashing the order dated 14.06.2022 passed by the learned Additional Sessions Judge-VI-cum Special Judge POCSO Act under framing of charge arising out of Mokama P.S. Case No. 364 of 2021 registered for the offences punishable under Section 366(A), 34 of the IPC read with Section 376(3) of the IPC and under Section 6 of the POCSO.

Learned counsel for the petitioner submits that the girl was major at the time of occurrence. This argument is advanced by the learned counsel for the petitioner on the basis of medical report of the victim in question.

The dispute with regard to the age of the victim girl can only be considered in the Trial and not at the time of stage of discharge.



After some argument, learned counsel for the petitioner seeks permission and is granted permission to withdraw this application.

Accordingly, this application is dismissed as withdrawn.

(Sandeep Kumar, J)

Shishir/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

