

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21480 of 2023

Arising Out of PS. Case No.-166 Year-2022 Thana- KUDHNI District- Muzaffarpur

Arjun Kumar, Son of Late Lakhindra Sahni, Resident of Village- Balaur, Ps-
Kudhani, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks quashing of an order dated 08.06.2022 passed by the learned Sessions Judge-cum-Special Judge, Muzaffarpur, in Kudhani P.S. Case No. 166 of 2022, whereby cognizance has been taken of the offences punishable under Sections 25(1-B), 26, 35 of the Arms Act and Sections 20(b) (ii) (B) of the NDPS Act.

3. Learned counsel appearing on behalf of the petitioner has submitted that the petitioner was in fact arrested three days before lodging of the said FIR and he has been falsely implicated in the case. In the present proceeding under Section 482 of the CrPC, the Court should not go into such

aspects as regards merits of accusation against the petitioner.

The petitioner shall be at liberty to take the plea, which he is taking in the present petition, at appropriate stage including at the stage of framing of the charge and during the course of trial.

4. This application is accordingly dismissed with the observation as noted above.

(Chakradhari Sharan Singh, J)

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