

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26945 of 2022

Arising Out of PS. Case No.-13 Year-2018 Thana- PHULWARIA District- Begusarai

Deepak Ram @ Deepak Kumar Ram son of Jhapsu ram @ Sri jageshwar Ram
Resident of Village - Phulwaria- I, Police Station - Phulwaria, District -
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-02-2023

Heard the parties.

This application has been filed for quashing the order dated 30.03.2022 passed by the learned Additional Sessions Judge-XII, Begusarai in S.T. No. 156 of 2019 arising out of Phulwaria P. S. Case No. 13 of 2018 by which he has rejected the application under Section 227 of the Cr.P.C.

Learned counsel for the petitioner submits that no offence is made-out and he wants this Court to believe the defence of the petitioner.

At the stage of framing of charge *prima facie* case is to be seen and if *prima facie* case is made out then the petitioner cannot be discharged.

In view of the law laid down by the Supreme Court



in the case of *Saundra Rasu Vs. State of Karnataka (through the Deputy Superintendent of Police) 2022 (4) PLJR 4 SC* and in the case of *State of Bihar Vs. Ramesh Singh 1977 SCC (4) 39*, this application is dismissed.

(Sandeep Kumar, J)

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