

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47716 of 2017

Arising Out of PS. Case No.-34 Year-2010 Thana- KHAJANCHI HAT District- Purnia

-
1. Shyamal Kishore Pathak Son of Chandranand Pathak,
 2. Kumodini Devi, Wife of Shyamal Kishore Pathak, Both residents of Rajendra Nagar colony, P.S.- K. Hat, District- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand

For the Opposite Party/s : Mr. Chandra Bhushan Prasad.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-12-2023 1. Heard learned senior counsel for the petitioners and

learned APP, Mr. Chandra Bhushan Prasad.

2. The learned senior counsel for the petitioners submits that the present quashing application has been filed seeking quashing of the order dated 15-7-2017 passed by the learned Judicial Magistrate, 1st Class, Purnea in K. Hat PS Case No. 34 of 2010 whereby application filed under Section 227 of the Cr.P.C seeking discharge on behalf of the petitioners has been rejected.

3. The learned senior counsel for the petitioners vehemently argues that from perusal of the allegations as alleged in the FIR, it would manifest that *prima facie* no offence is made out.



4. On query of the court with regard to the stage of the case, the learned senior counsel fairly submits that charges have been framed, trial has commenced and witnesses are being examined.

5. The learned APP, at this stage, submits that charges have been framed, trial has commenced and witnesses are being examined, the court should be reluctant in interfering in the trial.

6. Considering the submission made by the learned APP, the court is not inclined to entertain the quashing application and the same is rejected.

(Satyavrat Verma, J)

SUMIT/-

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

