

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54371 of 2016

Arising Out of PS. Case No.-3316 Year-2012 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. SHAHABUZZAMA@MD.SHAHABUZZAMA Son of Md. Badiuzzama
2. Md. Badiuzzama Son of Late Md. Riyazuddin.
3. Kashif nadeem @Md. Kashif Nadeem @ Md. Kashif Nadaf,
Son of Md. Badizuzzama,
All are resident of village-Barbatta, Police Station- Amour in the
District of Purnea.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Gulam Azhar, Son of Gulam Mustafa, R/O- Barbatta, Police
Station- Amour, District- Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate
For the Opposite Party/s : Mr.Sri Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

This application has been filed for quashing of order
dated 15.07.2016 passed by learned Sub-Judge-6th-cum-
A.C.J.M., Purnea in Complaint Case No. 3316 of 2012 by which
learned court below has rejected the discharge petition filed by
the petitioners.

The original complaint was filed under Section 468
and 109 of the Indian Penal Code in the court of learned Sub-
Judge-6th-cum-A.C.J.M, Purnea by which cognizance was



taken against the petitioners for the offences under Section 465 and 120B of the Indian Penal Code. The petition of discharge of the petitioners has been rejected by the court below. The petitioners prayed for discharge on the ground that the cognizance was barred by limitation. The ground of limitation to take cognizance under Section 468 of Cr.P.C will be made out or not is a question of trial and it cannot be decided by this Court at this stage.

With the aforesaid observations and directions, this application is disposed of.

(Sandeep Kumar, J)

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