

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29041 of 2018**

Arising Out of PS. Case No.-1064 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

-
1. Ranjan Jha @ Ranjan Kr. Jha, Son of Sri Umesh Jha, Resident of Village- Sant Kabir Road, Near Ramroop Goswami College, Banuchhapar, P.S.- Bettiah Muffasil, District- West Champaran.
 2. Prabhakant Thakur (P.K. Thakur) S/o late Kamla Kant Thakur Retired PSI, Bettiah Town, P.S. District- West Champaran.

... .. Petitioners

Versus

1. State of Bihar.
2. Arzoo Khan, Son of late Rahamatullah Khan Resident of Samaharnalaya chowk, Block Road, Bettiah, P.S. Bettiah Town, District- West Champaran.

... .. Opposite Parties

Appearance :

For the Petitiones : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 13-07-2023

Heard the parties.

2. This application has been filed for quashing of the order dated 27.03.2017 passed by learned Additional Chief Judicial Magistrate, II, West Champaran at Bettiah, in Complaint Case No. 1064-C of 2016, by which the learned Magistrate has taken cognizance against the petitioners for the offence under Section 406 of the Indian Penal Code.

3. The defence of the petitioners cannot be examined at the stage of cognizance. It can only be examined at an appropriate stage i.e. at the stage of framing of charge or at the stage of trial.



4. In these circumstances, this application is dismissed. The trial court is directed to expedite the trial and conclude the same as early as possible.

5. Let a copy of this order be communicated to the District Judge, West Champaran at Bettiah for its compliance.

(Sandeep Kumar, J)

pawan/-

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

