

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21819 of 2018**

Arising Out of PS. Case No.-20 Year-2017 Thana- KAUWAKOL District- Nawada

Lalan Paswan Son of late Darogi Paswan Resident of Village- Telari, P.S.
Rupau, District- Nawadah.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Dinesh Mistri Son of Jagdish Mistri Resident of Village- Telari, P.S. Rupau,
District- Nawadah.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Binod Kumar Sinha
For the Opposite Party/s :	Mr. Jitendra Kumar Singh
For the Opposite Party no.2	Mr. Prem Nath, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 17-02-2023 This application has been filed for quashing the order dated 16.05.2017 passed by learned Special Judge (POCSO Act), Nawadah in Special (H) Case No.163 of 2017 arising out of Kauakol (Rupau) P.S. Case No. 20 of 2017 by which cognizance under Section 366A/376/34 of the Indian Penal Code and Section 6 of the POCSO Act.

At the very outset, learned counsel for the opposite party no.2 submits that the girl is still missing. The entire defence of the petitioner cannot be examined at the stage of cognizance.

Accordingly, this application is dismissed.

He is permitted raise all the grounds at the time of framing of charge.

(Sandeep Kumar, J)

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