

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45007 of 2018

Arising Out of PS. Case No.-58 Year-2017 Thana- GADHPURA District- Begusarai

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1. Ram Uday Yadav Son of Ram Bilash Yadav.
 2. Ram Bilash Yadav, Son of Ram Swarup Yadav.
 3. Gulshan @ Gulshan Kumar, Son of Shyamdev Yadav
 4. Shyamdeo Yadav, Son of Ram Pratap Yadav, All resident of Village- Patahi, P.S.- Chhaurahi, District- Begusarai Bihar.
 5. Bittu Kumar, Son of Mahendra Yadav, Resident of Village- Hajpurwa, P.S.- Kalyanpur, District- Samastipur Bihar.

... .. Petitioner/s

Versus

1. State of Bihar
2. Dhirendra Kumar, Son of Narayan Rai, resident of Village- Paguraha, P.S.- Garhpura, District- Begusarai Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-02-2023 The present petition has been filed seeking
the following relief:-

"1. That this is an application for quashing of the order taking cognizance dated 09.01.2018 passed by Sri P.K. Dixit, learned Additional Sessions Judge 1" -cum- Special Judge POCSO Act, Begusarai in POCSO Case No.42 of 2017 arising out of Garhpura Police Station Case No. 58 of 2017, whereby and whereunder the



cognizance of the offences has been taken under Sections 363, 366 (A)/34 of the Indian Penal Code and Sections 12, 17 & 18 of the Prevention of Children from Sexual Offences Act without applying his judicial mind. Presently the case is pending in the Court of learned Additional Sessions Judge Ist -cum- Special Judge POCSO Act, Begusarai.

After some arguments, the learned counsel for the petitioners seeks not to press the present petition, however, seeks liberty on behalf of the petitioners to raise all the issues raised in the present petition, before the learned trial Court, at an appropriate stage.

Liberty so sought is granted.

The petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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