

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56829 of 2023

Arising Out of PS. Case No.-11 Year-2020 Thana- GOPALPUR District- Bhagalpur

Pramod Mandal Son Of Yogendra Mandal Villafe Sadhopur Police Station
Rangra Gopalpur Distrc Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikram Singh

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-12-2023 1. Heard learned counsel for the petitioner and
learned APP.

2. The present quashing application appears to be
misconceived for the reason that the accused has moved against
the order dated 26-6-2023 by which the learned ADJ-II,
Nogachiya in Session Trial No. 266 of 2020 had rejected the
application filed on behalf of the prosecution dated 30-11-2021.

3. The court completely fails to appreciate that it was
the prosecution, who had filed an application before the learned
ADJ-II, Nogachiya in Session Trial No. 266 of 2020 seeking
certain relief, which was not granted as such if anyone was
aggrieved by that order, it was the prosecution and definitely not
the accused. Since accused had not prayed for any relief before
the learned trial court, as such the order dated 26-6-2023, which



was passed rejecting the application of the prosecution dated 30-11-2021, does not give any cause of action to the accused to assail the same in the present quashing proceeding.

4. Accordingly, the present quashing application is dismissed.

(Satyavrat Verma, J)

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