

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9563 of 2024

Arising Out of PS. Case No.-363 Year-2022 Thana- CHAKIA District- East Champaran

Prabhat Kumar SON OF LATE NANDLAL PRASAD Village- Kunwa, PS-
Chakia, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. PRAVESH KUMAR CHAUDHUR SON OF LATE RAJENDRA
CHAUDHUR RESIDENT OF VILLAGE- GHANGHATI, PS- CHAKIA,
DISTT- EAST CHAMPARAN

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Renu Kumari

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 05-09-2024 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the opposite party
no. 02.

2. This application has been filed on behalf of the
petitioner for quashing the FIR being Chakia P.S. Case No. 363
of 2022 registered for the offence under Sections 447, 326, 109,
307, 302, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and
other accused persons are said to have assaulted the victim.

4. From the reading of the FIR offences are made out
against the petitioner.



5. The petitioner wants this Court to consider his defence at the stage of FIR which is not permissible in view of the law laid down by the Hon'ble Supreme Court in the case of *State of Bihar Vs. P.P. Sharma* reported in *1992 Supp (1) SCC 222*.

6. Accordingly, this application is dismissed. The petitioner is given liberty to raise all the grounds at an appropriate stage.

(Sandeep Kumar, J)

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