

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20750 of 2021

Arising Out of PS. Case No.-27 Year-2019 Thana- SC/ST District- Madhubani

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Sambhu Kumar @ Sambhu Prasad Singh Son of Shri Kameshwar Prasad
Singh Resident of Village - Chhourahi, P.s.- Babubarhi, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. This application has been filed for quashing of an order dated 16.12.2020 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani in G.R. No. 114 of 2019, arising out of Madhubani SC/ST P.S. Case No. 27 of 2019 whereby learned Addl. Sessions Judge took cognizance under Sections 304, 201, 323, 504, 506, 34 of the Indian Penal Code and Sections 3(2)(v) / 3 (2)(va) of the SC/ST Prevention of Atrocities Act.

3. The petitioner seeks quashing of the order of cognizance on the ground that on the alleged date and time of occurrence, he was not present at the place of occurrence.



4. The ground, which has been raised by the petitioner, is his defence, which can only be considered during trial after leading evidence. I do not find any illegality or perversity in the order of cognizance, warranting any interference by this Court. Accordingly, this petition is dismissed.

(Prabhat Kumar Singh, J)

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