

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27023 of 2023

Arising Out of PS. Case No.-125 Year-2021 Thana- SAMASTIPUR District- Samastipur

MD. ISLAM Son of Md. Habib Resident of Village - Andaha Bhagwanpur
Kamla, P.S.- Ujiyarpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 19-08-2024 Heard the parties.

2. The petitioner has challenged the order dated 26.05.2022 passed by the learned Cheif Judicial Magistrate, Samstipur passed in Samastipur Nagar P.S. Case No. 125 of 2021 by which the discharge application of the petitioner has been rejected.

3. As per the prosecution case, the allegation against the petitioner is of misappropriation of money.

4. I have gone through the records of the case and the impugned order.

5. From the records of the case and the impugned order, it appears that the allegation against the petitioner are serious in nature and prima facie case exists against the petitioner.



6. In these circumstances, the prayer of the petitioner cannot be allowed in view of the law laid down by the Hon'ble Supreme Court in the case of *Ram Prakash Chadha Vs. The State of Uttar Pradesh* reported in *2024 SCC OnLine SC 1709*.

7. Accordingly, this application is dismissed.

(Sandeep Kumar, J)

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