

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29727 of 2024

Arising Out of PS. Case No.-211 Year-2019 Thana- MANJHAGARH District- Gopalganj

Rishi Ranjan Kumar Son of Yogendra Singh Resident of Village- Sudha Sah
ke Tola, P.O. and P.S. Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajit Kumar Son of Baijnath Prasad Yadav the then Block Development Officer, Manjhagarh, District- Gopalganj, At present Residents of Village and P.O.- Chhihattar, Police Station- Maner, District- Patna, PIn Code- 801108

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 10-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

2. The present application has been filed to quash the order dated 02.02.2021 passed in Trial No. 4383 of 2024 arising out of Manjhagarh P.S. Case No. 211 of 2019 by the Chief Judicial Magistrate, Gopalganj, whereby and whereunder cognizance has been taken under Sections 420, 409, 34 of the I.P.C.

3. The petitioner is accused of committing misappropriation in the *Nal Jal Yojana*.

4. Learned counsel for the petitioner has placed reliance on some documents and wants his defence to be



examined by this Court and quash the entire prosecution.

5. This Court will not examine the defence material of the petitioner in a quashing application when it is not permissible even at the stage of discharge as has been held in the case of *Ram Prakash Chadha Vs. The State of Uttar Pradesh 2024 SCC Online SC 1709*.

6. In these circumstances, this application is dismissed with liberty to the petitioner to raise all the grounds at the stage of framing of charge.

(Sandeep Kumar, J)

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