

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47236 of 2024

Arising Out of PS. Case No.-711 Year-2021 Thana- KHAGARIA District- Khagaria

Arvind Kumar @ Arvind Singh Son of Late Ram Sarikh Singh R/O Vill.-
Bhatha Dasi, P.O.- Basara, P.S.- Rajapakar, Dist.- Vaishali, 844124

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ranjeet Kumar Son of Shiv Nandan Singh R/O Vill. and P.O.- Madhurapur,
P.S.- Tepda, Dist.- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kaushal Kumar Jha, Sr. Advocate Mr.Siddharth Aditya, Advocate
For the State	:	Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 23-07-2024 Heard the parties.

2. The present application has been filed for quashing the order dated 20.05.2024 by which the discharge petition of the petitioner has been rejected by the Exclusive Special Excise Court 1st, Khagaria in Khagaria (Mufasil) P.S. Case No. 711 of 2021.

3. Mr. Kaushal Kumar Jha, learned senior counsel for the petitioner has argued the case and has submitted that it is fit case for discharge as the name of the petitioner has come in the confessional statement of co-accused and the petitioner disputes his identity.

4. 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*, has held that at the stage of framing of charge, the materials produced by the prosecution have to be examined and the defence of the petitioner cannot be looked into.

5. In view of the above, this application is dismissed.

(Sandeep Kumar, J)

P. Kumar

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