

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1549 of 2022

Arising Out of PS. Case No.-123 Year-2017 Thana- MANER District- Patna

Hare Ram Rai S/O- Sri Ram Jivan Rai R/V- Haldi Chapra, Shat Aanna, P.S. -
Maner, Distt.- Patna .

... .. Petitioner

Versus

1. The State Of Bihar
2. Kapilesh Rai S/O- Late Daiv Rai R/V- Haldi Chapra, P.S. - Maner, Distt.-
Patna .

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-02-2024 Heard learned counsel for the parties.

2. Present application has been filed for quashing of the order dated 03.11.2017 passed by the Judicial Magistrate 1st class, Danapur by which the cognizance was taken against the petitioner and others for the offence under Sections 302, 34 I.P.C. in connection with Maner P.S.Case No.- 123 of 2017 pending before the court of the Learned A.C.J.M.-VI, Danapur.

3. The petitioner wants decision on the order taking cognizance by considering all the materials on affidavit in his defence which is not permissible in law.

4. Considering the law laid down by the Hon'ble Supreme Court in the case of **State of Bihar vs P.P. Sharma 1992 Supp (1)**



SCC 222, this quashing application is dismissed.

(Prabhat Kumar Singh, J)

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