

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1652 of 2022

Arising Out of PS. Case No.-163 Year-2019 Thana- DAUDNAGAR District- Aurangabad

1. YOGENDRA PRASAD Son of late Ramuna Prasad Resident of Village - Kera ,P.s.- Daudnagar, Dstt.- Aurangabad.
2. Ralshan Mahto @ Shipahi @ Iindrajeet Kumar Son of Yogendra Prasad Resident of Village - Kera ,P.s.- Daudnagar, Dstt.- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Home Depart. Govt. of Bihar, Patna. Bihar
2. The Director General of Police, Bihar, At Patna. Bihar
3. The Senior Superintendent of Police, Aurangabad. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar Barnwal
For the Opposite Party/s : Mr.Nand Kishore Prasad

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 the quashing of F.I.R. bearing Daudnagar P.S. case No. 163/ 2019 dated 15/05/2019 registered U/s. 287,304,374 & 34 of IPC and cognizance order dated- 18/09/2019 passed by Ld. S.D.J.M, Daudanagar.

3. Petitioners want decision on the FIR as well as order taking cognizance by considering all the materials on affidavit in their 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.

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(Prabhat Kumar Singh, J)

