

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73765 of 2023

Arising Out of PS. Case No.-38 Year-2023 Thana- MIRGANJ District- Gopalganj

Ritesh Kumar Son Of Chandrahas Singh Resident Of Village - Sahebachak,
P.S.- Mirganj, District - Gopalganj, Pin Code- 841436

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Deputy Inspector General of Police at Division saran, District - Saran (Chapra) Bihar, Pin Code Bihar
3. The Superintendent of Police at District - Gopalganj (Bihar) Pin Code- 841428. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar
For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 13-08-2024 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. This is an application for quashing of the F.I.R.
bearing Mirganj P.S. Case No. 38 of 2023 registered for the
offences under Section 394.

3. From the reading of the F.I.R., allegations levelled
against the petitioner are made out.

4. The defence of the petitioner cannot be considered
for quashing of the F.I.R. The F.I.R. cannot be quashed in view
of the law laid down by the Hon'ble Supreme Court in the case
of *State of Bihar V/s P.P. Sharma* reported in *1992 Supp (1)*



SCC 222.

5. Accordingly, this application is dismissed.

6. The petitioner is given liberty to raise all the grounds at an appropriate Stage.

(Sandeep Kumar, J)

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