

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32911 of 2019

Arising Out of PS. Case No.-19 Year-2018 Thana- BHANGHA District- West Champaran

KISHORE SHARMA Son of Darshan Thakur Resident of Village - Bhangha,
Parsauni, P.S.- Bhangha, District- West Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Shri Dhanraj Mahto Son of Late Paspal Mahto Resident of Village -
Bhangha, Parsauni, P.S.- Inarwa, District- West Champaran, Bettiah

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar
For the Opposite Party/s	:	Mr. Bimlesh Kumar Pandey
For the State	:	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 24-03-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no. 02.

2. This application has been filed for quashing the order dated 22.05.2018 passed by the learned Judicial Magistrate, 1st Class, West Champaran at Bettiah in connection with Bhangaha P.S. Case No. 19 of 2018.

3. It has been submitted by the learned counsel for the petitioner that there is a case and counter case and in the present occurrence, the allegations are false.

4. Learned counsel for the O.P. No. 02 has opposed this application and has submitted that in the counter case registered against the O.P. No. 02 and others, the trial has started



and witnesses are being examined whereas in the present case, the petitioner is delaying the trial and not accepting the police papers.

5. In the opinion of this Court, then there is case and counter case between the parties, the occurrence is admitted and whether the petitioner side has committed any offence as has been alleged by the O.P. No. 02, can be examined in the trial of this case as well as the trial of Bhangha P.S. Case No. 18 of 2018 in the same Court together and the Court below will pass the Judgments on the same day in both the cases.

6. This application is disposed of with the aforesaid directions and the petitioner is directed to co-operate in the case and will not delay the trial of the case.

(Sandeep Kumar, J)

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