

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40796 of 2022

Arising Out of PS. Case No.-38 Year-2020 Thana- CHAKAND District- Gaya

Md Kazim Son Of Md. Hasim Resident Of Village - Lakhno, P.S.- Chakand,
Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 38396 of 2022

Arising Out of PS. Case No.-38 Year-2020 Thana- CHAKAND District- Gaya

1. Md Khalid @ Golden Son Of Md. Nazim Master Resident Of Village -
Lakhno, P.S.- Chakand, District - Gaya.
2. Md. Saifullah Son Of Md. Kazim Resident Of Village - Lakhno, P.S.-
Chakand, District - Gaya.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 40796 of 2022)

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Anant Kumar 1

For the O.P. No. 02 : Mr. Hansraj, Advocate

(In CRIMINAL MISCELLANEOUS No. 38396 of 2022)

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 24-03-2025 Heard the parties.

2. Both these applications have been filed for
quashing of the order dated 23.05.2022 passed by the learned
Judicial Magistrate 1st Class, Gaya in Chakand P.S. Case No. 38
of 2020 by which cognizance has been taken against the



petitioner/s under Sections 341, 323, 307, 507, 506, 34 of the Indian Penal Code.

3. The charge was framed in the case on 16.03.2023 but this fact was not brought to the notice of this Court and on 19.05.2023, this court had issued the notice and stayed the further proceedings of the Court below.

4. Mr. Hansraj, learned counsel for the O.P. No. 02 has produced a photocopy of the certified copy of the order sheet in support of the fact that the charge in the case was framed on 16.03.2023.

5. These applications on 19.05.2023 had become infructuous as both the applications have been filed challenging the order taking cognizance and therefore, these applications are dismissed accordingly as having become infructuous.

6. The Trial Court is directed to proceed in the matter as it has been further submitted that before the order dated 19.05.2023 was passed, the Trial had also started and one witness was examined.

7. Let a copy of this order be communicated to the Principal District and Sessions Judge, Gaya through FAX for its compliance forthwith

8. Photocopy of the certified copy of the order sheet



and the deposition of PW-1 are taken on record.

(Sandeep Kumar, J)

Shishir/-

U			
---	--	--	--

