

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48594 of 2022**

Arising Out of PS. Case No.-148 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Kumar Abhishek S/O Mr. Shiv Nandan Choudhary Resident Of Sikariya
More, Gaya, Bihar, P.S.- Rampur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate Mr. Pravin Kumar, Advocate
For the Opposite Party/s :		Mr. Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 23-06-2025 Heard the learned counsel for the petitioner and the
learned counsel for the State.

2. This application has been filed for quashing the order dated 22.07.2021 passed by the learned I/c Chief Judicial Magistrate, Muzaffarpur in G.R. No. 729 of 2021 arising out of Sadar P.S. Case No. 148 of 2021 by which the Court below has held that after perusal of FIR, chargesheet and case diary, there is sufficient material for a prima facie case under Sections 419 and 420 of the IPC and Section 10 of the Bihar Examination Act and thereafter transferred the records to the court of learned Additional Chief Judicial Magistrate-IX, Muzaffarpur East for trial.



3. After some argument, learned counsel for the petitioner prays and is permitted to withdraw this application with a liberty to raise all the grounds at the stage of framing of charge by way of filing an application.

4. If such an application is filed, the same shall be considered by the Court below in view of the law laid down by the Hon'ble Supreme Court in the case of ***Kanchan Kumar V/s State of Bihar, (2022) 9 SCC 577.***

5. This application stands withdrawn with the aforesaid observation and direction.

(Sandeep Kumar, J)

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