

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52234 of 2019**

Arising Out of PS. Case No.-44 Year-2018 Thana- KHUSRUPUR District- Patna

MALITARY KUMAR @ MUKESH SINGH @ MUKESH KUMAR Son of  
Nand Kumar Singh @ Nand Yadav R/o Village- Mosimpur, P.S.- Khusrupur,  
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      15-07-2025      Heard learned counsel for the petitioner and learned  
counsel for the State Shri Jharkhandi Upadhyay.

2. This application has been filed on behalf of the  
petitioner for quashing the FIR of Khushrupur P.S. Case No. 44  
of 2018 registered for the offence under Section 20/22 of the  
NDPS Act.

3. Learned counsel for the petitioner submits that  
except for confessional statement of the co-accused, who was  
caught with the Ganja, there is no material to connect the  
petitioner with the crime.

4. In these circumstances, this application is disposed  
of with a liberty to the petitioner to raise all the grounds at the  
stage of framing of charge. If such an application is filed in the



Court below raising all the grounds then the same shall be considered by the learned Special Judge in light of the judgment of the Hon’ble Supreme Court in the case of ***Kanchan Kumar Vs. The State of Bihar reported in (2022) 9 SCC 577*** and a reasoned order shall be passed by the Special Judge, in accordance with law considering the materials available on record and also considering the arguments of the petitioner.

**(Sandeep Kumar, J)**

Vikas/-

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