

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42210 of 2021**

Arising Out of PS. Case No.-137 Year-2019 Thana- AMDABAD District- Katihar

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Brijendra Choudhary @ Bijendra Choudhary Son Of Sukhdeo Choudhary
Resident Of Village - Gadai Diyara, Kasba Tola, P.S.- Amdabad, Distt.-
Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Pramila Devi W/o Kunj Bihari Singh Resident of Village - Gopalpur, Gadai
Diyara, P.S.- Amdabad, Distt.- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar
For the Opposite Party/s : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 03-02-2026 Heard the learned counsel for the petitioner, learned
APP for the State and the learned counsel for the O.P. No. 2.

2. This application has been filed for quashing of the
order dated 06.10.2020 passed in Amdabad P.S. Case No. 137 of
2019 by learned Special Judge cum ADJ-VII, Katihar by which
cognizance was taken after differing with the police report under
Sections 302, 201, 376, 120B/34 of the Indian Penal Code and
Section 4 of the POCSO Act.

3. After some arguments, the learned counsel
appearing for the petitioner prays for and is permitted to
withdraw this application with liberty to raise all the grounds at
the stage of discharge/ at an appropriate stage. Accordingly, this
application is dismissed as withdrawn.



4. If such an application is filed, the same shall be considered by the Court below and a reasoned order shall be passed in accordance with law and in view of the law laid down by the Hon'ble Supreme Court in the case of ***Kanchan Kumar Vs. The State of Bihar*** reported in ***(2022) 9 SCC 577***.

5. Let a copy of this order be communicated to the Principal District & Sessions Judge, Katihar through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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