

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34607 of 2025

Arising Out of PS. Case No.-153 Year-2023 Thana- KEWATI District- Darbhanga

Praveen Kumar Jha S/o Late Chaturanand Mishra R/o Village- Ladari, P.S.-
Keoti, District- Darbhanga

... .. Petitioner

Versus

1. The State of Bihar
2. Santosh Kumar Jha S/o Late Chandrakant Jha R/o Village- Ladari, P.S.-
Keoti, District- Darbhanga

... .. Opposite Parties

Appearance :

For the Petitioner : Mrs. Kanchan Jha, Advocate

For the Opposite Party-State: Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

2 23-03-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application under Section 528 of the Bhartiya
Nagrik Suraksha Sanhita, 2023, has been filed by the petitioner
seeking quashing of the order dated 15.01.2025 passed in S.T.
621 of 2023, arising out of Keoti P.S. Case No. 153 of 2023, by
the learned District and Additional Sessions Judge-VII,
Darbhanga, whereby the discharge petition filed by the
petitioner under Section 227 of the Code of Criminal Procedure
has been rejected. The petitioner also seeks quashing of the
order taking cognizance dated 14.08.2023 passed by learned
J.M.F.C., Darbhanga.

3. Learned counsel for the petitioner has submitted



that there is no specific allegation against the petitioner so as to attract the provisions of the Indian Penal Code and there is a case and counter case between the parties.

4. From perusal of the record itself, it appears that by order dated 04.02.2025, the charges have been framed against the petitioner under Sections 341/34, 323/34, 324/34 and 307/34 IPC, and hence, it is clear from the record that the accusation has been explained to the petitioner. The case being under Section 307/34 IPC and the learned trial court having found that there are sufficient grounds for proceeding against the petitioner with the aid of common intention, this Court is not inclined to interfere with the impugned order.

5. This application is devoid of any merit and is accordingly dismissed.

(Praveen Kumar, J)

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