

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66623 of 2021

Arising Out of PS. Case No.-94 Year-2020 Thana- MAHILA P.S. District- Kaimur (Bhabua)

1. RAMMURAT PARJAPATI S/o Rambachan Prajapati @ Kuti Parjapati Resident of Village- Gangapur (Sonab), P.S.- Durgawati, District- Kaimur at Bhabhua.
2. Nagendra Parjapati @ Narendra Prasad Son of Late Ramchandra Parjapati @ Ramchandra Prasad Resident of Village- Gangapur (Sonab), P.S.- Durgawati, District- Kaimur at Bhabhua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisha Kumari D/o Abhimanu Bind Resident of Village- Gangapur (Sonab), P.S.- Durgawati, District- Kaimur at Bhabhua.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Santosh Kumar Pandey, Advocate
For the State	:	Mr. Shahabuddin Azeem @ S. Azeem, APP
For the Respondent O.P. No.2:	:	Mr. Rajani Kant Pandey, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 05-01-2026 Heard learned counsel for the parties.

2. The present application has been filed for quashing of the cognizance order dated 05.03.2021 passed by the learned Additional District and Sessions Judge-VI-cum-Special Judge POCSO Act, Kaimur at Bhabhua. Thereafter, an interlocutory application, bearing I.A. No.1 of 2023, was also filed making a prayer for quashing of the charges which was framed against the petitioners.

3. The records of this case would depict that by an interim order dated 27.03.2025, notices were issued to the



opposite party no.2 and further proceedings in the learned Court below in connection with Mahila P.S. Case No.94 of 2020 were directed to remain stayed.

4. It is informed by learned counsel for the opposite party no.2 that witnesses have already been examined on behalf of the prosecution and by an earlier order dated 08.12.2025, a report had been called for from the learned Court below. In pursuance of the order dated 08.12.2025, a report dated 12.12.2025 has been received and a perusal of which would show that the prosecution evidence has already been closed on 04.01.2025. It further appears from the said report that on 14.02.2025, the statement of the accused was even recorded under Section 313 of the Cr.P.C. and the case was fixed for the defence evidence. It is after such stage that the interim order dated 27.03.2025 was passed.

5. Although, learned counsel for the petitioners has submitted that the petitioners have a good case on merit and an interlocutory application challenging the framing of the charges was already filed in the year 2023, hence the present application should be heard on merits.

6. Taking into consideration the fact that there was no stay of proceeding till 27.03.2025 and by that time the stage of



the case had progressed to the stage of defence evidence, which is evident from the report received from the learned Trial Court, in such view of the matter, this Court is not inclined to entertain the present application. Accordingly, this application is dismissed.

(Soni Shrivastava, J)

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