

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73403 of 2019

Arising Out of PS. Case No.-285 Year-2016 Thana- LAHERIYASARAI District- Darbhanga

1. Ram Babu Yadav Son of Chuman Yadav @ Janak Yadav Resident of Village- Kabariya Tole- Mushari, P.S.- Sadar, District- Darbhanga.
2. Savitri Devi Wife of Dinesh Yadav Resident of Village- Kabariya Tole- Mushari, P.S.- Sadar, District- Darbhanga.
3. Naresh Kumar Singh Son of Bhola Singh @ Bhola Yadav Resident of Village- Gausaghat, P.S.- Sadar, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Girish Chandra Jha, Advocate
For the State	:	Mr.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 19-01-2026 Heard the parties.

2. The present application has been filed for quashing the order dated 26.08.2019 passed by the Judicial Magistrate, 1st Class, Darbhanga in G.R. No. 2235 of 2016/ Tr. No. 2063 of 2019 arising out of Laheriasarai P.S. Case No. 285 of 2016 by which the learned Magistrate has rejected the application under Section 239 of the Cr.P.C. filed by the petitioners.

3. The complainant alleges that on 29.04.2016 the petitioner no. 1 had sold the land belonging to the complainant to the petitioner no. 2 to which petitioner no. 3 was the witness of the aforesaid transaction.



4. Strong *prima facie* case has been found by the Court below for framing of charge. The petitioners want this Court to consider his defence at the stage of framing of charge, which is not permissible.

5. In view of the above, this application is dismissed.

(Sandeep Kumar, J)

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