

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.368 of 2014

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1. Ashok Kumar son of Rajendra Yadav resident of Mohalla- Mahadeo Nagar, P.S. and District- Shekhpura.
 2. Banarsi Thakur son of Mahabir Thakur resident of village- Ishapur Koyla P.S.- Korma, District - Shekhpura.
 3. Priynka Bharti wife of Sudhir Kumar resident of Mohalla- Khandpar, P.S. and District- Shekhpura.
 4. Nunuwati Devi wife of Kameshar Yadav resident of Mohalla - Mahadeo Nagar, P.S. and District- Shekhpura.
 5. Belsi Devi @ Bilsa Devi wife of Krishna Sao resident of Mohalla Mahadeo Nagar, P.S. and District- Shekhpura.
 6. Ramratan Kumar son of Ashaqwan Das Sao, resident of Budhauri Chowk Mohalla - Mahadeo Nagar, P.S. and District- Shekhpura.
 7. Meena Kumari Devi wife of Vijay Kumar Bharti resident of Mohalla Mahadeo Nagar, P.S. and District- Shekhpura.
 8. Usha Devi wife of Shambhunath Verma resident of Mohalla Budhauri, P.S. and District- Shekhpura.
 9. Bimla Devi wife of Dr. Sita Ram Choudhary resident of Mohalla Mahadeo Nagar, P.S. and District- Shekhpura.
 10. Tarun Kumar Singh son of Ramchandra Singh Arya, resident of Mohalla Budhauri, P.S. and District- Shekhpura.
 11. Pawan Kumar son of Ramdeo Sao resident of Pachna, P.S. and District - Shekhpura.
 12. Vindyawashini Devi wife of Suresh Kumar resident of Mohalla Budhauri Mahadeo Nagar, P.S. and District -Shekhpura.
 13. Sangita Devi wife of Pawan Kumar resident of Pachna Mahadeo Nagar, P.S. and District- Shekhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. S.N.Sinha, Sr. Advocate
: Mr. Binit Kumar, Advocate
For the Respondent/s : Mr. Manish Kumar, A.C. to G.P.-21

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 10-03-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

This application under Articles 226 and 227 of the

Constitution of India has been filed for quashing of the first information report in Shekhpura P.S. Case No.86 of 2014 registered for the offences punishable under sections 406, 409, 420, 467, 468, 471 and 120B of the Indian Penal Code.

A counter affidavit has been filed on behalf of the State in which a categorical statement has been made that on conclusion of investigation the police have already submitted their report under section 173 of the Code of Criminal Procedure in the court of Chief Judicial Magistrate. Sheikhpura.

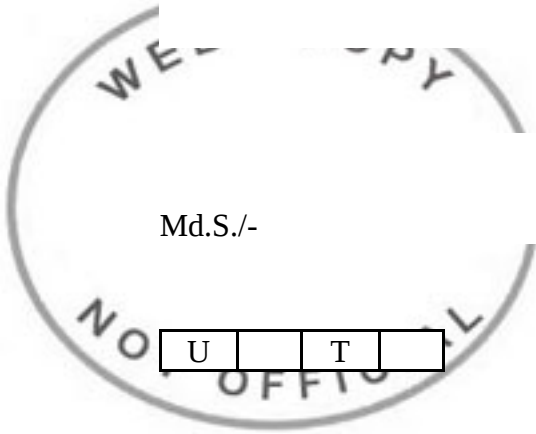
Learned counsel for the petitioners has submitted that he has also filed an amendment petition seeking quashing of the charge-sheet. However, he concedes that till date the learned Magistrate has not taken cognizance of the offence.

Once the police have concluded investigation and submitted their report in the court, it is for the Magistrate concerned to consider the materials available on the record and pass appropriate orders in accordance with law.

In view of the subsequent developments which took place during the pendency of the application, in my view, this application has become infructuous. Accordingly, this application is disposed of as infructuous.

In case any adverse order is passed by the learned

Magistrate, the petitioners would be at liberty to challenge the same by filing an appropriate application in accordance with law.



Md.S./-

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(Ashwani Kumar Singh, J)