

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47199 of 2012

Arising Out of PS.Case No. 127 Year- 2012 Thana Kursela District- Katihar.

Arbind Kumar Sharma, S/O Ishwar Das, Resident Of Village- Rajendra Park,
Dumariya, P.S- Kursela, District- Katihar.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Md. Mushtak Ahamd S/O Late Md. Yakoob Resident Of Village- Pakuriya,
P.S- Pakuriya, District- Pakur, Jharkhand, Present Address Block- Education
Extension Officer, Sameli Block, P.S- Kursela, District- Katihar.
3. The District Education Officer, Katihar, P.S- Katihar, Distt- Katihar.
4. The Station House Officer, Kursela Police Station- Distt- Katihar.
5. The Investigation Officer, Kursela, Police Station, Distt- Katihar.
6. The Chairman, Bihar School Examination Board, Patna, Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal, Adv.
For the State : Dr. Indihar Kumari, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH

ORAL JUDGMENT

Date: 06-07-2015

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks quashing of the First Information
Report of Kursela P.S. Case No. 127 of 2012.

The submission of the Petitioner is that the Block
Education Extension Officer, Sameli Block, P.S. Kursela, Distt.
Katihar, had instituted the present case on the ground that the
certificate produced by the Petitioner was false. Subsequently, the
Petitioner was appointed on the very same certificate and, hence, in
his submission, the present First Information Report is unjustified.

Be that as it may, since Courts should rarely interfere with investigation, the application is disposed off with the direction to the Investigating Officer to consider the aforesaid and other aspects of the matter and conclude the investigation positively within a period of three months from the date of receipt of this order if he has not done so already.

Let this order be communicated to the Superintendent of Police, Katihar, for its onward transmission to the Investigating Officer, in connection with Kursela P.S. Case No.127 of 2012, through FAX at the cost of the Petitioner.

(Anjana Prakash, J)

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