

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.143 of 2014

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Ramji Chauhan, S/o Late Jagarnath Chauhan, Resident of Village- Dalan, Police
Station- Katihar Muffasil, District- Katihar

.... Petitioner

Versus

1. The State of Bihar
2. The District Superintendent of Police, Katihar
3. King Kundan, son of Sudarshan Mandal, Station Head Officer, Katihar Muffasil,
Police Station, District- Katihar
4. Dinanath Singh S/o Late Ram Sagar Singh, Resident of Mohalla- Laliahi, P.S.-
Katihar, District- Katihar
5. Kisto Ravidas S/o Late Dheku Ravidas, Resident of Village- Kadaipura Kaloli,
P.S.- Katihar Muffasil, District- Katihar
6. Jhulanand Chaudhary S/o Late Khublal Chaudhary, Resident of Village-
Rupaspur, P.S.- Rowtara, District- Katihar
7. Ram Babu Singh, son of Raj Kishore Singh, Assistant Sub - Inspector, Muffasil
Police Station, District- Katihar
8. Vijay Kumar Manjhi, son of Gopal Krishna Manjhi, Assistant Sub - Inspector,
Muffasil Police Station, District- Katihar

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Birednera Kumar, Advocate

For the Respondent/s : Mr. Gyan Prakash Ojha, GP-22

Mr. Praveen Kumar, AC to GP-22

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 16-01-2015

A counter affidavit has been filed on behalf of the

State. Let the same be kept on record.

Heard learned counsel for the petitioner and learned counsel for the State.

In the present application filed under Articles 226 and 227 of the Constitution of India, the petitioner has prayed for quashing of the First Information Report of Katihar Muffasil P.S. Case No. 4 of 2014 dated 8.1.2014 registered for the offences punishable under Sections 341, 323, 379, 384, 406 and 504 read with 34 of the Indian Penal Code as well as for quashing of Katihar Muffasil P.S. Case No. 8 of 2014 dated 18.1.2014 registered for the offences punishable under Sections 341, 323, 379, 506 and 504 read with 34 of the Indian Penal Code and 3(1)(x) of the SC & S.T. (Prevention of Atrocities) Act.

It has been contended that the petitioner has falsely been implicated in both the cases due to ongoing land dispute between the parties.

On the other hand, learned counsel for the State has submitted that in Katihar Muffasil P.S. Case No. 4 of 2014 after concluding the investigation, the police have already submitted charge sheet in the Court and investigation in connection with Katihar Muffasil P.S. Case No. 8 of 2014 is going on.

I have perused the FIR of both the cases mentioned

hereinabove. The allegations made in both the FIRs do constitute a cognizable offence.

In that view of the matter, I find no merit in the present application. Accordingly, the writ petition is dismissed.

(Ashwani Kumar Singh, J.)

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