

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1085 of 2013

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1. Gandhi Ram Son Of Jawahar Ram Resident Of Village- Pathkauli
Bishunpurwa, Tola- Bakhariya, P.S.- Chautarwa, District- West Champaran
..... Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Bettiah, West Champaran
3. The Superintendent Of Police, Bettiah, West Champaran
4. The Officer-In-Charge, Bairiya Police Station, District- West Champaran
5. Md. Akhtar Son Of Md. Israil Resident Of Village- Ramwaliya, Post-
Semra Medraul, P.S.- Semra, District- West Champaran
..... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Respondent/s : Mr. Manoj Kr. Ambastha

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 08-01-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The instant application under Articles 226 and 227 of the Constitution of India has been filed seeking quashing of the F.I.R. of Bariya P.S. Case No. 270 of 2012 registered under sections 413 and 414 read with 34 of the Indian Penal Code.

It has been fairly conceded by the learned counsel for the petitioner in course of arguments that after concluding investigation of the case, the investigating agency has already filed charge sheet in the court below on 16th February, 2013. However, I find that the instant case for quashing of the F.I.R. has been filed before this Court about 9 months after the submission of charge

sheet on 25th November, 2013. Moreover, the allegations made in the F.I.R. do constitute a cognizable offence.

I find no merit in the application. The writ petition is accordingly dismissed.

Pradeep/-

(Ashwani Kumar Singh, J)

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