

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No. 1164 of 2014

=====

Birendra Lal Das, Son of Late Madhusudan Lal Das, Resident of Pratapganj, P.O.- Pratapganj, P.S.- Pratapganj, District - Supaul; at present Hatiyagachhi South Side Ward No. 31 under Nagar Parishad, Saharsa, P.O. + P.S.+ District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Bihar Patna.
4. The Inspector General of Police, Darbhanga, District Darbhanga.
5. The Deputy Inspector General of Police, Koshi Range, District - Saharsa.
6. The Superintendent of Police, Saharsa.
7. The Sub-Divisional Police Officer, District - Saharsa.
8. The Police Inspector of Saharsa Sadar Police Station, District - Saharsa.
9. The Station Headquarter Officer, Saharsa Sadar Police Station, District - Saharsa.
10. Shree Suryakant Choubey, S/o Name not Known to the Petitioner, Police Inspector-cum-S.H.O.Saharsa Police Station, District - Saharsa.
11. Shree Anmol Kumar, S/o Name not Known to the Petitioner, Sub-Inspector of Police, Saharsa Police Station District Saharsa.
12. Shree Drawesh Kumar Yadav, S/o Name not Known to the Petitioner, Sub-inspector of Police, Saharsa Police Station, District - Saharsa.
13. Shree Chandan Kumar, S/o Name not Known to the Petitioner S.H.O. Saharsa Police Station, District - Saharsa.
14. Shree Prem Sagar, S/o Name not Known to the Petitioner S.D.P.O. Sadar Hasarsa, District - Saharsa.

-----Respondents 1st Party.

15. Rudra Narayan Sah @ Domi Sah Son of Shree Gulab Chandra Sah.
16. Nitish Kumar Son of Rudra Narayan Sah @ Domi Sah
Both (16 & 17) Resident of Bidyapati Nagar, Ward No.19 under Nagar Parishad Saharsa, P.O + P.S. and District - Saharsa.
17. Dr. Sanjay Gupta, Son of Anand Gopal Sah, Resident of at present - Bidyapati Nagar, Ward No. 19 P.O + P.S and District - Saharsa.
18. Md. Sonu, Son of Md. Sattar, Resident of at Fakir Tola, Saharsa, P.O + P.S and District - Saharsa.

.... Respondents 2nd Party.

=====

Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

Learned S.C. 20 for the State is present.

The petitioner has approached this Court for quashing of Saharsa P.S. Case No. 653 of 2014 dated 31.08.2014 in which his son and four others have been made accused. The further prayer is for getting Saharsa P.S. Case No. 577 of 2013 dated 11.11.2013 investigated through any other agency for impartial justice.

It appears that the petitioner is not party in either of the F.I.R. and is aggrieved by his son being made accused in Saharsa P.S. Case No. 653 of 2014 and is also espousing for investigation by a different agency of Saharsa P.S. Case No. 577 of 2013, in which his son is the informant.

Learned counsel for the State referring to the pleadings submits that Saharsa P.S. Case No. 653 of 2014 has been found true under Sections 385/504 and 307/34 of the Indian Penal Code and 27 of the Arms Act against the accused including the son of the petitioner. Further the Investigating Officer has been directed to take steps for his arrest. Learned counsel submits that in view of there being prima facie case made out against the accused including the son of the petitioner and further that after proper investigation the allegations have been found true, the writ petition is clearly misconceived and the Court may not interfere in the matter.

Upon hearing learned counsel for the State and after going through the records, this Court does not find

any merit in the application. Accordingly, the same stands dismissed.

(Ahsanuddin Amanullah, J.)

Anand Kr.

U		T	
---	--	---	--

