

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.32 of 2015

=====

Vishwajit Kumar Singh @ Tuntun Singh son of Late Sakaldeo Singh,
resident of village- Godai Phulkahan, P.S- Kanti, District - Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar through Director General of Police, Govt. of Bihar,
Patna
2. The Superintendent of Police, Muzaffarpur District - Muzaffarpur.
3. Smt. Basanti Devi wife of Shri Sudhir Mahto, resident of village- Godai
Phulkahan, P.S- Kanti, District - Muzaffarpur.

.... Respondents

=====

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh, Adv.
For the Respondent/s : Mr. D.P.Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 09-09-2015 In the instant writ application filed under Articles 226
and 227 of the Constitution of India, the petitioner seeks quashing
of the first information report of Kanti P. S. Case No. 213 of 2012
registered under Sections 467, 468, 471, 420, 120 B of the Indian
Penal Code.

Learned counsel for the petitioner has submitted that the
allegations made in the FIR are not true. In support of his
submission, he relies on certain documents, which have been
annexed to this application.

In my view, the defence of an accused has to be tested
by the Investigating Agency during investigation and not by this

Court at this stage. The only duty of this Court is to see as to whether the admitted facts do attract the ingredients of a cognizable offence or not.

I have perused the FIR. The allegations made in the FIR do attract the ingredients of the offences alleged.

In that view of the matter, I find no merit in this application.

Accordingly, the writ application is dismissed.

(Ashwani Kumar Singh, J.)

Kanchan/-

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