

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27601 of 2014

Arising Out of PS.Case No. -17 Year- 2013 Thana -SC/ST PS District- BUXAR

1. Maya Shankar Pathak

2. Daya Shankar Pathak

Both are sons of late Ram Nawaj Pathak, Resident of Village- Jaso Dera, P.S. Buxar (M), District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Anil Ram, son of Nandu Ram, R/o Village- Jaso Dera, P.S. Buxar (M), District- Buxar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma, Adv.

For the State :Mr. Ambika Bhagat (Spl.PP.)

For the Informant : Mr. Parijat Saurav, Adv.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-06-2016 This application has been filed, seeking quashing of the First Information Report of Buxar (S.C./S.T.) P.S. Case No.17 of 2013, registered for the offences punishable under Sections 341, 323, 504 and 506/34 of the Indian Penal Code and Section 3(i) (x) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act.

Learned counsel, appearing on behalf of the petitioners, submits that it is evident from the First Information Report that FIR has been lodged as the informant was not paid his arrears of salary. The informant was employed by the petitioner No.2, as driver.

Upon perusal of the First Information Report, I find that there are allegations against the petitioners of assaulting the informant and using abusive language by taking his caste name. In such circumstance, it is difficult to quash the First Information Report, exercising power, under Section 482 of the Cr.P.C., as the allegations contained therein make out cognizable offence.

This application is, accordingly, dismissed.

It shall be open to the petitioners to raise all such plea as have been raised in the present application at the stage of framing of charge.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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