

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28089 of 2014

Arising Out of PS.Case No. -456 Year- 2009 Thana -SAHARSA District- SAHARSA

Vineeta @ Vineeta Ram, D/o Sri Bihari Ram, R/o East Indira Nagar, Road No. 1,
Kankarbagh, Patna, at present Child Development Project Officer, Kishanpur,
District Supaul

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Murlidhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date: 21-06-2016

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

This application has been filed seeking quashing of the
First Information Report of Saharsa Sadar P.S. Case No. 456 of 2009
registered for the offences punishable under Sections 467, 468, 420,
474 and 120B/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
even if the allegations made in the First Information Report are treated
to be correct, no offence is made out under any provision of the Indian
Penal Code, so far as the present petitioner is concerned. He has
submitted that the petitioner has been implicated merely because she

was posted as Child Development Officer, Kahra who had issued the selection letter in favour of the co-accused, namely, Kumari Manju.

Upon perusal of the First Information Report, which is based on a complaint case, I find that offence under various provisions of the Indian Penal Code are made out, which are cognizable in nature. The First Information Report, therefore, cannot be quashed, in such circumstance to the extent, it relates to the petitioner. According to the petitioner, there is no material to validly implicate the present petitioner in this case. This aspect can be looked into at the stage of investigation by the Police or at the time of taking of cognizance or framing of charge by the concerned Court. The petitioner shall be at liberty to raise such plea as has been taken in the present application at appropriate stage, as may be permissible to him.

With this observation, this application stands dismissed.

(Chakradhari Sharan Singh, J)

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