

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32554 of 2014

Arising Out of PS.Case No. -331 Year- 2012 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

Surendra Thakur, Son of Late Mishri Thakur, Resident of Village - Hussainganj,
P.S.- Barh, District - Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kr. Singh, 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 Hajipur P.S. Case No. 331 of 2012
registered for the offences punishable under Sections 420, 468, 471,
223, 224 and 120B of the Indian Penal Code.

The petitioner, at the relevant point of time, was posted
as Clerk in Divisional Jail, Hajipur at Vaishali. It has been alleged
against him that he knowingly participated in fraudulent release of an
accused Sushil Singh from jail.

A supplementary affidavit has been filed on behalf of the

petitioner, bringing on record an enquiry report submitted by the Enquiry Officer in a disciplinary proceeding initiated against him.

On perusal of the First Information Report, I find that an offence cognizable in nature is made out against the petitioner. Secondly, the allegation made against the petitioner in the First Information Report is corroborated by the findings of the Enquiry Officer recorded in the disciplinary proceeding.

I do not find it to be an appropriate case for exercise of inherent jurisdiction under Section 482 of the Code of Criminal Procedure, 1973 for quashing of the First Information Report.

This application is dismissed.

(Chakradhari Sharan Singh, J)

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