

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.982 of 2015

Arising Out of PS.Case No. -null Year- null Thana -null District- SASARAM (ROHTAS)

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Anil Kumar Singh, Son of Ram Nagina Singh, resident of Village- Semra, P.S.-
Natwar, District- Rohtas.

.... Petitioner

Versus

1. The State of Bihar
2. The Superintendent of Police, Rohtas at Sasaram.
3. The Sub-Divisional Police Officer, Bikramganj (Rohtas).
4. The District Education Officer, Rohtas at Sasaram.
5. The Block Education Officer, Dinara (Rohtas).
6. The Officer in Charge, Natwar P.S. Police Station Natwar.
7. Pushp Gandhi Kumari, Wife of Rajdeo Chaudhary, resident of Village
Kusumtola, P.S.- Nokha, District- Rohtas.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Chote Lal Mishra, Advocate

For the Respondent/s : Mr. Kr. Priya Ranjan, S.C.23

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 24-02-2016

By way of the present application preferred under
Articles 226 and 227 of the Constitution of India, the petitioner
seeks quashing of the first information report (for short “the FIR”)
of Natwar P. S. Case No. 14 of 2014 registered under Sections 354
A, 354 C, 509 and 506 of the Indian Penal Code.

2. Learned counsel for the petitioner has submitted that the allegations made in the FIR are absolutely false and the informant of the case has implicated the petitioner only because of private and personal grudge.

3. On the other hand, learned counsel for the State has contended that after completing the investigation, the police have already submitted their report under Section 173(2) of the Code of Criminal Procedure before the Jurisdictional Magistrate vide charge-sheet no. 22 of 2014 dated 08.07.2014 and after going through the materials collected during investigation, the Jurisdictional Magistrate has already taken cognizance of the offences punishable under Sections 354 A, 354 C, 509 and 506 of the Indian Penal Code

4. I have heard learned counsel for the petitioner, learned counsel for the State and perused the materials available on record, including the FIR as contained in Annexure-1 to the application and the charge-sheet submitted by the police as contained in Annexure-B to the counter-affidavit filed on behalf of respondent no. 2. The allegations made in the FIR do attract the ingredients of the alleged offences and they have been found to be true during investigation. Accordingly, after completing the investigation, the police have submitted charge-sheet in the case

and after going through the materials collected during investigation, the Jurisdictional Magistrate has already taken cognizance of the alleged offences.

5. In that view of the matter, the application being devoid of any merit, is hereby dismissed.

(Ashwani Kumar Singh, J.)

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