

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26840 of 2013

Arising Out of PS.Case No. -236 Year- 2012 Thana -GOPALGANJ CITY District- GOPALGANJ

Pratima Devi W/O Birendra Singh R/O Village Sirishiya Babu Tola, P.S.
Kuchaykot, District Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Chandra Kant, Advocate

For the Opposite Party/s : Mr. Anil Kr.Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 29-02-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application has been filed under Section 482 of
the Code of Criminal Procedure for quashing of the First
Information Report vide Gopalganj P.S. Case No. 236 of 2012,
disclosing offences punishable under Sections 341, 427, 504, 353,
307, 379 and 364/34 of the Indian Penal Code.

Upon perusal of the First Information Report, I find
that on the basis of allegations contained therein, cognizable
offences punishable under various Sections of the Indian Penal
Code are made out.

Learned counsel for the petitioner has placed reliance
upon the statement of victim girl recorded under Section 164 of

the Cr.P.C. in support of the plea that the allegations contained in the First Information Report are false.

In my opinion, that can not be a ground of quashing of the First Information Report in exercise of power under Section 482 of the Code of Criminal Procedure. I do not find any merit in this application. This application is, accordingly, rejected.

It goes without saying that the petitioner shall have liberty to raise the plea as has been raised in the present application at the stage of framing of charge or in course of trial, which shall be considered on its own merits without being prejudiced by the present order.

(Chakradhari Sharan Singh, J)

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