

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52605 of 2013

Arising Out of PS.Case No. -32 Year- 2013 Thana -BATHNAHA District- SITAMARHI

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Md. Shahadat Hussain S/O Md. Wali Resident Of Village - Bhawanipur,
P.S. Bathnaha, District - Sitamarhi

.... Petitioner

Versus

1. The State Of Bihar
2. Md. Muquram S/O Late Shekh Resident Of Village - Bariarpur, P.S. +
District - Sitamarhi

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar Sinha, Advocate

For the Opposite Parties : Mr. Ajay Kumar 1 (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 11-04-2016 Heard.

This application has been filed seeking quashing of the First Information Report of Bathnaha P.S.Case No.32 of 2013 registered for the offence punishable under Section 304B read with Section 120B and 34 of the Indian Penal Code.

Upon perusal of the First Information Report, I do not find that any case of quashing of the FIR is made out inasmuch as the allegations contained therein constitute an offence punishable under Section 304B of the IPC.

It is settled law that unless the contents of the FIR do not constitute a cognizable offence or lodging of the FIR in any case is barred by law an FIR cannot be quashed exercising power under

Section 482 of the Cr.P.C. I am not convinced by the submission made on behalf of the petitioner that lodging of the First Information Report is an abuse of the process of law.

This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

B.Kr./-

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