

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.584 of 2014

Arising Out of PS.Case No. - 57 Year- 2014 Thana - Nagar District-
EASTCHAMPARAN(MOTIHARI)

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Shashi Bhushan Singh Son of Sri Rasho Prasad Singh, resident of Collector Singh
Keshari Nagar, P.S.-Patliputra, District-Patna.

.... Petitioner

Versus

1. The State of Bihar
2. Binay Kumar, District Fishery Officer-cum-Chief Executive Officer, East
Champaran.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate

For the Respondent/s : Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 19-07-2016

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

2. By the present application preferred under
Articles 226 and 227 of the Constitution of India, the petitioner has
sought for quashing of the first information report (for short 'FIR')
of Nagar P. S. Case No. 57 of 2014 registered under Sections 409,
420, 467, 468, 469, 471 and 120-B of the Indian Penal Code.

3. It has been contended by learned counsel for the
petitioner that the allegations made in the FIR are not true and the
FIR ought not to have been instituted in view of the letter no. 243

dated 07.02.2014 issued under the signature of Director of Fishery.

4. I have perused the allegations made in the FIR and the letter No. 243 dated 07.02.2014 as contained in Annexure-9 to the present application on which much stress has been given by the petitioner in order to prove his innocence.

5. From a reading of the FIR and the aforesaid letter no. 243 dated 07.02.2014, it would appear that ingredients of cognizable offences alleged are attracted in the present case. The FIR was instituted as back as on 13.02.2014 and by now, the police would have either submitted its report on completion of investigation or the investigation must be in at an advanced stage.

6. Keeping in mind the allegations made in the FIR, I am not inclined to accede to the prayer made by the petitioner. Accordingly, the application is dismissed.

(Ashwani Kumar Singh, J.)

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