

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.386 of 2015

Arising Out of PS.Case No. -null Year- null Thana -null District- JEHANABAD

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Shyamakant Mahto @ Shaym Singh son of Basudeo Mahto. Resident of village -
Jamanganj, P.S.- Makhdumpur, District - Jehanabad.

.... Petitioner

Versus

1. The State of Bihar through the Secretary, Department of Homes, Government of Bihar , Patna.
2. The Director General of Police, Patna.
3. The Superintendent of Police, Jehanabad.
4. The Officer-in-Charge, Makhdumpur, Police Station District - Jehanabad.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh, Advocate

For the Respondent/s : Mr. Ajay, G. A.-12.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 09-02-2016

By way of the present application under Articles 226 and 227 of the Constitution of India, the petitioner seeks quashing of the first information report (for short “the FIR”) of Makhdumpur P. S. Case No. 138 of 2013 dated 10.05.2013 registered under Section 302 of the Indian Penal Code.

2. I have perused the FIR as contained in Annexure- II to the present application. The allegation is that the

petitioner assaulted one Shyamakant Mahto with *lathi* as a result of which he died. The allegations made in the FIR do attract the ingredients of the offence punishable under Section 302 of the Indian Penal Code.

3. In that view of the matter, I do not find any merit in this application. Accordingly, it is dismissed.

(Ashwani Kumar Singh, J.)

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