

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.694 of 2015

Arising Out of PS.Case No. -null Year- null Thana -null District-
EASTCHAMPARAN(MOTIHARI)

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Shankar Kumar Sahani S/o Ram Chandra Sahani, Resident of Village- Semraha,
P.S.- Rajepur, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director General of Police, Bihar, Patna
3. The Inspector General of police, Bihar, Patna.
4. The Police D.I.G., Tirhut Division, Muzaffarpur.
5. District Magistrate, East Champaran at Motihari.
6. The Superintendent of Police, East Champaran at Motihari.
7. The Sub-Divisional Police Officer, East Champaran at Motihari.
8. The Officer-in-charge, Mehshi Police Station , East Champaran at Motihari.
9. Birendra Prasad Singh S/o late Kamta Singh, Resident of Village- Bakhari,
Nazir, P.S.- Mehshi, District- West Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 03-02-2016

By way of the present application under Articles 226 and 227 of the Constitution of India, the petitioner seeks a direction to be issued to the respondents to get Mehshi P.S. Case No.209 of 2013 dated 5.2.2013 registered under Sections 216, 121A, 384, 386 and 120B of the Indian Penal Code, 13, 15, 16, 18 and 20A of the Unlawful Activities (Prevention) Act and 17 of the Criminal Law Amendment Act re-investigated.

2. The contention of the petitioner is that he has been falsely

implicated in the case and the investigating agency has wrongly submitted charge-sheet against him under various sections of the Indian Penal Code, Unlawful Activities (Prevention) Act and the Criminal Law Amendment Act.

3. In my view, the application is thoroughly misconceived. The petitioner is named in the FIR and during investigation the police have found sufficient material against him as a result of which he has been sent up for trial.

4. It is for the Magistrate concerned to appreciate the police report submitted under Section 173(2) of the Code of Criminal Procedure and pass appropriate orders in accordance with law.

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

(Ashwani Kumar Singh, J)

Md.S./-

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