

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.30 of 2016

1. Sagar Kumar
2. Manoj Kumar
3. Ajit KUMar
4. Ram Babu All are Son of Jamindar Mahto resident of village - Sanha West, P.S. Sahebpur Kamal, District - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Patna Bihar
2. The Station Head Officer, P.S. Sahebpur Kamal, District - Begusarai
3. The Investigation Officer, P.S. Case No. 68/2015, P.S. Sahebpur Kamal, District - Begusarai
4. Pratima Devi (Gram Panchayat Mukhiya) Wife of Rajeev Ranjan Paswan resident of village - Sanha West, P.S. Sahebpur Kamal, District - Begusarai

.... Respondent/s

Appearance :

- For the Petitioner/s : Mr. Y. C. Verma
Mr. Ansui Kumar
For the Respondent/s : Mr. Indeshwari Prasad Mandal, AC to GA 3
For the informant : Mr. Sandip Kumar Guatam

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

10 09-08-2016 Heard learned Counsel for the petitioners, the informant and the respondents-State of Bihar.

This application has been filed, seeking quashing of the First Information Report of Sahebpur Kamal Police Station Case No. 68 of 2015, registered for the offences punishable under Sections 448, 341, 504, 386, 506 and 349 of the Indian Penal Code and Section 3 (i) (xi) of the Schedule Castes and Schedule Tribes

(Prevention of Atrocities) Act.

From the counter affidavit filed on behalf of the respondent-State of Bihar, it appears that the police, after completion of investigation, have submitted charge sheet. It is not known whether cognizance of the offence has been taken or not.

It has been submitted on behalf of the petitioners that there is no material to substantiate the allegation made in the First Information Report. He has also submitted that as a matter of fact, the allegations are not only malicious, but do not make out any case constituting cognizable offence.

However, I need not go into these submissions at this stage. The petitioners shall be at liberty to raise these grounds at the stage of taking of cognizance or thereafter or at the stage of framing of charge against them.

This application stands disposed of accordingly.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---