

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4841 of 2016

Arising Out of PS.Case No. -160 Year- 2015 Thana -BARGANIA District- SITAMARHI

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1. Noosrat Jahan wife of Mahtab Alam, daughter of Abdul Matin, resident of Village + P.O. Bhakurhar, Police Station- Bairagania, District- Sitamarhi, Presently posted in Middle School, Mushachak, Police Station- Bairagania, District- Sitamarhi
 2. Firdos Khanam father of Md. Zamirul Haque Khan, resident of Village - Parsauni, Police Station- Bairagania, District- Sitamarhi, Presently posted in Middle School, Parsauni, Police Station- Bairagania, District- Sitamarhi
 3. Vijay Shankar Sharma Son of Sri Chandradeo Sharma, resident of Village- Bhaluahi, P.O Ruphara, Police Station- Sikarganj, District East Champaran, Presently posted at Middle School Pachtakiram.
 4. Usha Kumari W/o Ram Chandra Ram, d/o Shakar Ram Resident of Village- Madhu Chhapra, P.O Jamua, Police Station- Bairagania, District- Sitamarhi, presently posted in Middle School, Madhu Chapra, Police Station- Bairagania, District- Sitamarhi.
 5. Shajda Khatoon, W/o Md. Anisur Rahman, resident of Village and P.O Bhakurhar, Police Station- Bairagania, District- Sitamarhi, Presently posted in Middle School, Bhataulia, Police Station- Bairagania, District- Sitamarhi.
 6. Sahnaz Begum wife of Yazazur Rahman, resident of Village and P.O. Bhakurhar, Police Station- Bairagania, District- Sitamarhi, Presently posted in Middle School, Bhataulia, Police Station- Bairagania, District- Sitamarhi.
 7. Gajendra Mahto son of Bhuneshwar Mahto, resident of Village and P.O. Pachtakiram, Police Station- Bairagania, District- Sitamarhi, presently posted in Middle School, Bel, Police Station- Bairagania, District- Sitamarhi.
 8. Manisha Kumar W/o Martin Rumaldo Sah, Resident of village and P.O. Marpatahir, Police Station- Bairagania, District- Sitamarhi, presently posted in Middle School, Jamua, Police Station- Bairagania, District- Sitamarhi.
 9. Nilam Kumari W/o Raju Jaiswal D/o Rajeshwar Prasad resident of Village and PO. Ashogi, Police Station- Bairagania, District- Sitamarhi, presently posted in Middle School, Pachtakiram, Police Station- Bairagania, District- Sitamarhi.
 10. Rafat Jaha w/o Rezwanullah d/o Abdul Kalam. resident of Village- Bareba, P.O Chandanbara, Police Station- Kundwa Chainpur, District- East Champaran, presently posted in Middle School Mushachak, Police Station- Bairagania District- Sitamarhi.
 11. Ahmad Reza Usmani son of Usangani, resident of Village- Chakwa, P.O. Marpatahi, Police Station- Bairagania, District- Sitamarhi presently posted in Middle School, Patahi, Police Station- Bairagania, District- Sitamarhi.
 12. Renu Kumari Wife of Munna Kumar d/o Hridya Narayan Prasad, Resident of Village + P.O. Jamua, Police Station- Bairagania, District- Sitamarhi, Presently posted in Middle School, Jamua, Police Station- Bairagania, District- Sitamarhi.
 13. Ganesh Kumar Son of Yadu Nandan Baitha, resident of Village and P.O. Kapoor Pakari, Via- Dhaka Police Station- Sikarganj, District- East Champaran, presently posted in Middle School Pachtakiram, Police Station- Bairagania, District- Sitamarhi.

14. Deepasri W/o Sushil Kumar, resident of Village + P.O. Bairania, Police Station- Bairania, District- Sitamarhi, presently posted in Middle School Patahi, Police Station- Bairania, District- Sitamarhi.

15. Jitendra Kumar Ranjan son of Bishwanath Ram, resident of Village- Roophari, P.O. Kapoor Pakari, Police Station- Sikarganj, District- East Champaran, presently posted in Middle School, Pachtaki Yadu, Police Station- Bairania, District- Sitamarhi.

16. Innamullah son of Md. Nurullah, resident of Village and P.O. Kodariya, Via Fenhara, Police Station- Patahi, District- East Champaran, presently posted in Middle School, Bilardhe, Police Station- Bairania, District- Sitamarhi.

17. Rekha Kumari, d/o Ram Ekbal Sahani, Wife of Subhash Sahani, resident of Village- Akauna, P.O. Mishrauliya, Police Station- Chiraiya, District- East Champaran, presently posted in Middle School, Pachtakiyadu, Police Station- Bairania, District- Sitamarhi.

18. Kumari Pinki d/o Hari Lal Sahani W/o Ram Pyare Sahani, resident of Village + P.O. Pachtakiyadu, Police Station- Bairania, District- Sitamarhi, presently posted in Middle School Pachtakiyadu, Police Station- Bairania, District- Sitamarhi.

19. Ekramullah son of Md. Nurullah, resident of Village and P.O. Kodariya, Via- Fenhara, Police Station Patahi, District East Champaran, presently posted in Middle School, Akhtar Bazar, Police Station- Bairania, District- Sitamarhi.

20. Archana Kumari D/o Gauri Shankar Sharma, W/o Amit Kumar Singh, resident of Village and P.O. Madapa Mohan, P.O. Deokuliya, Police Station- Fenhara, District- East Champaran, Presently posted in Middle School, Patahi, Police Station- Bairania, District- Sitamarhi.

21. Ragini Kumari d/o Faguni Sah, resident of Village and P.O Bhakurhar, Police Station- Bairania, District- Sitamarhi, presently posted in Middle School, Musha Chak, Police Station- Bairania, District- Sitamarhi.

22. Hasira Begum d/o Md. Israrul Haque, resident of Village and P.O. Bhakurhar, Police Station- Bairania, District- Sitamarhi, presently posted in Middle School, Patahi, Police Station- Bairania, District- Sitamarhi.

23. Raushan Tara w/o Amirul Haque d/o Md. Mohammad Samsad, resident of Village and P.O. Bhakurhar, Police Station- Bairania, District- Sitamarhi, Presently posted in Middle School, Joriyahi, Police Station- Bairania, District- Sitamarhi.

24. Lalita Kumari w/o Babu Lal Sah, D/o Sri Ram Narayan Sah, Resident of Village + P.O Brahm Asthan Chowk, Shivhar, District- Sheohar, presently posted in Middle School, Pachtakiyadu, Police Station- Bairania, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

2. The Police Inspector, Vigilance Investigation Bureau, Muzaffarpur Camp, Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. A.A.Khan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-07-2016

Heard learned counsel for the petitioners, informant and learned APP for the State.

The present application has been filed for quashing of the First Information Report of Bairagania P.S. Case No.160/2015 registered under Sections 409, 467, 468, 471, 120B of the Indian Penal Code.

The prosecution case is that the petitioners and others total 27 in numbers got appointed as Panchayat Teacher on the basis of forged experience certificate submitted at the time of appointment.

It is submitted by Mr. Rajendra Narayan Singh, learned senior counsel appearing for the petitioners that the letter of the Block Education Officer, Bairagania, dated 05.08.2015, reflects that the petitioners did not submit any experience certificate at the time of appointment.

In view of this Court the F.I.R can only be quashed if the accusation does not constitute prima facie cognizable offence or the prosecution is barred under certain law. Moreover the case was registered on 29.08.2015 but there is nothing on record to suggest the present stage of the investigation. Hence, this Court is

not inclined to interfere into at this stage.

Accordingly the application is disposed of with liberty to the petitioners to raise all the contentions on submission of final report under section 173(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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