

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.918 of 2016

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Anil Kumar Son of Late Shiv Nandan Lal, resident of Mushari Patti, Goushala Road, Naugachiya, P.S. Naugachiya, District- Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Bhagalpur Zone, Distt- Bhagalpur.
4. The District Magistrate, Bhagalpur.
5. The Senior Superintendent of Police, Bhagalpur.
6. The District Programme officer, Bhagalpur.
7. The Officer in Charge of pirpainty, Police station Distt- Bhagalpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 02-11-2017

Heard learned counsel for the parties.

The petitioner has invoked writ jurisdiction under Article 226 and 227 of the Constitution of India for quashing the first information report of Pirpainty P.S. Case No.174/1999 registered under Sections 420,468,120(B) of the Indian Penal Code.

The F.I.R. of the aforesaid case at Annexure-1 would reveal that for non-compliance of the order of the authorities in sending the required documents, criminal case was lodged against seven persons including one Anil Kumar Rai, a teacher posted in Sarkanda school within Pirpainty circle in the district of Bhagalpur.



Submission of the petitioner is that the petitioner was never posted in that school in spite of that the police arrested the petitioner and the petitioner was granted bail by the court.

However, the petitioner does not dispute the stand of the respondents in the counter affidavit that after investigation, the petitioner has not been sent up for trial nor cognizance has been taken against him.

If that is the position that the petitioner is not the real culprit named in the F.I.R. neither he has been sent up for trial nor court has taken cognizance against the petitioner, then there is no need to pass any order in this writ application.

Accordingly, it stands disposed of.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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