

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52698 of 2013

Arising Out of PS.Case No. -137 Year- 2013 Thana -MAHESHKHUNT District- KHAGARIA

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1. Ranbir Kumar Son Of Yogendra Singh Village- Sondiha, P.S.- Pasraha,
District- Khagaria

.... Petitioner/s

Versus

1. The State Of Bihar
2. Rasbihari Singh Son Of Late Uchit Singh Village- Jagunagar Banni, P.S.-
Maheshkhut, District- Khagaria

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Nand Poddar

For the Opposite Party/s : Mr. Dashrath Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-01-2017 Nobody appears on behalf of the petitioner. On the last occasion also, nobody appeared on behalf of the petitioner, as such vide order dated 20.01.2017, the case was directed to be listed today with condition that if on that day also, nobody appears, the case will be decided on its own merit.

The petitioner has challenged whole criminal proceeding pending against him in connection with G.R. No.2019 of 2013 arising out of Maheshkhut P.S. Case No.137 of 2013, pending in the court of the learned C.J.M., Khagaria, filed under Section 439 and 376 of the Indian Penal Code, as well as prayed for quashing the F.I.R.

It appears from perusal of the record that on the basis of



written report filed before the Officer- in-charge of Maheshkhut Police Station, Maheshkhut P.S. Case No.137 of 2013 was instituted against the petitioner under Section 164 Cr.P.C. and the case is pending for investigation.

The petitioner has challenged the F.I.R. as well as prayed for quashing of the whole criminal proceeding pending against him.

Heard learned A.P.P., who opposes the petition filed by the petitioner and submits that from perusal of the F.I.R. itself, it appears that there is a *prima facie* case against the petitioner and just from perusal of the record, it appears that there is nothing in this case for quashing of the whole criminal proceeding against the petitioner.

In view of the facts as stated above and from perusal of the record as well as after hearing learned A.P.P., I find no merit in this case.

Hence, this application is dismissed.

(Vinod Kumar Sinha, J)

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