

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3614 of 2015

Arising Out of PS.Case No. -241 Year- 2014 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Arinjay Kumar Singh

2. Kameshwar Prasad Singh

Both are sons of Braj Narayan Singh, Resident of vill-Gariba, P.S. Kesaria, Distt.-
East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate.

For the State : Mr. Ram Chandra Singh,A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 29-01-2018

1. This application under Section 482 of the Code of Criminal Procedure has been filed for quashing the First Information Report of Kesaria P.S. Case No. 241 of 2014 dated 21.10.2014 instituted against the petitioners and their family members for the offence under Sections 406, 420 and 506/34 of the Indian Penal Code.

2. In the First Information Report there is allegation that these petitioners took Rs.2,50,000/- from the informant on the pretext to give appointment to the son of the informant as Panchayat Teacher. The son of the informant did not get appointment and when the informant made request to return the money, the petitioners returned only an amount of Rs.30,000/- and refused to return the



remaining amount.

3. Heard learned counsel for the petitioner and learned counsel for the State.

4. Learned counsel for the petitioners has submitted that there is no any document to substantiate the allegation made in the First Information Report. Even from the First Information Report the informant has himself committed illegal contract with the petitioners for providing appointment to his son. It has further been submitted that one Chandeshwar Tiwari has filed seven cases with similar allegation against this petitioner. The instant First Information Report has been filed because the notification was issued for election of PACS in the month of August, 2014, in which, father of the petitioners had filed nomination for the post of Chairman of *Gariba Panchayat PACS*.

5, This Court is of the view that all these facts could properly be investigated by the police.

6. Therefore, at this stage without going into the merit of the allegation, this Court is not inclined to quash the First Information Report.

7. This Criminal Miscellaneous application is accordingly dismissed.

8. The Police is directed to submit Final Report under



Section 173 Cr. P.C. within a period of three months from the date of receipt of this order.

9. The District & Sessions Judge is directed to communicate this order to the Superintendent of Police concerned in connection with Kesariya P.S. Case No. 241 of 2014.

(Sanjay Priya, J)

S.Ali/-

AFR/NAFR	NAFR
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