

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10038 of 2016

Arising Out of PS.Case No. -556 Year- 2015 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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Sudha Kumari Wife of Vinod kumar Chaudhary, resident of Village-Kanhaul
Vishundutta P.s Mithanpura District Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amarendra Nath Verma, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 15-01-2018

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

2. By way of the present application preferred under
Section 482 of the Code of Criminal Procedure, the petitioner seeks
quashing of the first information report (for short 'FIR') of
Muzaffarpur Town P. S. Case No. 556 of 2015 registered under
Sections 419, 420, 468 and 471 of the Indian Penal Code.

3. I have heard learned counsel for the petitioner and
perused the FIR as contained in Annexure-1 to the present
application.

4. From perusal of the FIR registered on the basis of the



statement of one Murari Prasad, Inspector of Police, Vigilance Bureau, Muzaffarpur, it cannot be said that no cognizable offence is made out.

5. It has been submitted by the learned counsel for the petitioner that the case is still under investigation and the FIR has been instituted on the basis of misconceived facts.

6. In the opinion of this Court, if the investigation is pending, whether the allegations made in the FIR are true or incorrect or the facts stated therein are well founded or ill founded, are to be seen by the police during investigation and not by this Court, as investigation of a criminal offence is the statutory right of the police and, at this stage, the court has no role to play.

7. In that view of the matter, I see no reason to interdict the investigation of the case by quashing the FIR.

8. The application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J.)

Kanchan/-

AFR/NAFR	NAFR
CAV DATE	NA
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