

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8732 of 2015

Arising Out of PS. Case No.-177 Year-2012 Thana- BARHARA District- Purnia

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Lal Babu Rajak @ Babu Lal Rajak son of Chandeshwar Rajak, R/o Village-
Ramganj, P.S.- Haranaut, District- Nalanda at present Revenue Karamchari
Prakhand Baise, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nilesh Kumar Singh son of Sri Hardev Prasad Singh, R/o Village- Aurlaha,
P.S.- Barhara Kothi (Raghubansh Nagar O.P.), District- Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan
For the Opposite Party/s : Mr. Nitya Nand Tiwary (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 05-02-2018 This application under Section 482 of the Code of Criminal
Procedure has been filed for quashing the First Information Report
of Barhara P.S. case no. 177 of 2012 registered for the offences
punishable under Sections 323, 420, 120B and 409 of the Indian
Penal Code .

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

The counsel for the petitioner has submitted that informant is
neither government employee nor member of the panchayat and
filed the present case merely on suspicion with political vendetta.

Learned Additional Public Prosecutor after looking into para
154 of the case diary has submitted that the police after
investigation has found case true under Sections 420, 120B and 409



of the Indian Penal Code against all the accused persons. The police has submitted charge sheet against one accused, namely Ranjan Kumar, as he was arrested. The supplementary investigation is pending against the petitioner and other accused persons.

In such circumstances, the investigation in the case is complete with respect to one of the accused, and investigation against the petitioner and three other accused is pending. Therefore, at this stage, this Court does not deem it fit to quash the F.I.R. This petition is, accordingly, dismissed.

The police is directed to complete the investigation against petitioner and other accused persons preferably within three months from the date of receipt of this order and submit final report in the case under the provision of Section 173 Cr. P.C.

The District and Sessions Judge, Purnea shall communicate this order to Superintendent of Police Purnea for compliance.

(Sanjay Priya, J)

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