

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53791 of 2017

Arising Out of PS.Case No. -1 Year- 2015 Thana -MANSURCHAK District- BEGUSARAI

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Sunil Kumar Gupta son of Late Ram Udgar Gupta, resident of village- Mansoor Chak, P.S. -Mansoor Chak, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
: Mr. Ansul, Advocate
: Ms. Meena Rani, Advocate

For the State : Mr. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 27-07-2018

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

2. This application under section 482 of the Code Criminal Procedure has been filed by the petitioner for quashing the order dated 01.09.2015 passed by the learned Additional Chief Judicial Magistrate-IV, Begusarai in Mansoor Chak P.S. Case No.01 of 2015 whereby and whereunder cognizance has been taken for the offences punishable under sections 147 and 354A of the Indian Penal Code and Section 3(1)(xi) of the Scheduled Castes and the Scheduled Tribes



(Prevention of Atrocities) Act, 1989.

3. It is contended by the learned counsel for the petitioner that the petitioner has been implicated in this case at the instance of one Rohit Kumar Gupta who has connection with the informant. She submitted that Rohit Kumar Gupta was seen in objectionable condition on 03.01.2014 with the informant and probably for that reason the informant has instituted a false and frivolous case against the petitioner and others.

4. Opposing the prayer of the petitioner, learned counsel appearing for the State submitted that informant is a school Teacher. She has specifically alleged in the F.I.R that the petitioner and seven others came into the campus of the school and abused the informant by taking her caste name. They were asking the petitioner to marry the co-brother of one Ganga Chaudhary or be ready to face dire consequences. She submitted that the allegation made in the F.I.R. were investigated upon and, on completion of investigation, the police found the case true against the petitioner. After going through the statements of the witnesses recorded in the case diary, the learned Magistrate took cognizance of the offences.

5. I have heard learned counsel for the parties and perused the record.

6. In view of the allegations made in the F.I.R., which were



found true in course of investigation as the witnesses have supported the version of the informant, I see no illegality in the order impugned.

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

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
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