

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38475 of 2015

Arising Out of PS.Case No. -204 Year- 2014 Thana -KALYANPUR District- SAMASTIPUR

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1. Saroj Singh
2. Manoj Singh @ Manoj Kumar Singh
3. Rajeev Singh @ Rajeev Kumar
4. Sanjeev Singh @ Sanjeev Kumar

All are sons of late Ram Balak Singh

5. Rekha Rani singh, w/o late Ram Balak Singh
6. Rita Devi @ Rita Singh, w/o Saroj Singh
7. Ranjana Devi @ Ranjana Singh, w/o Manoj Singh
8. Indu Devi @ Indu Singh, w/o Rajeev Singh

All resident of Village- Kishanpur, Baikunth, P.S, Warisnagar, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ekta Singh, D/o Anil Kumar Singh, resident of Village- Vasudeopur, P.S. Kalyanpur, Distt. Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate.
For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL JUDGMENT

Date: 18-05-2018

1. This application under Section 482 of the Code of Criminal Procedure has been filed for quashing of the First Information Report of Kalyanpur P.S. Case No. 204 of 2014 instituted for the offence under Sections 498A, 406 and 379 of the Indian Penal Code.

2. Heard learned counsel for the petitioners and learned counsel for the State.

3. Learned counsel for the petitioners has submitted



that there is no allegation of any specific overt act against the petitioners in the First Information Report. The petitioners have been falsely implicated in this case. The petitioners are government servant and posted outside the State.

4. Report was called for from the court below which has been received. From the report it appears that investigation has already been completed and charge sheet has been submitted. The case is fixed for framing of charge.

5. As such, the stage of the case has changed. The charge sheet has already been submitted by the police after completing the investigation.

6. Therefore, this Court is not inclined to interfere with the First Information Report at this stage.

7. This Criminal Miscellaneous application is accordingly disposed off with liberty to the petitioners to raise all the points as raised in this petition in the court below at the appropriate stage either at the time of framing of charge or during trial, which will be considered and disposed of by the Court below in accordance with law.

(Sanjay Priya, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	23/05/2018
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