

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.351 of 2017

Arising Out of PS. Case No.-136 Year-2013 Thana- CHHAURADANO District- East
Champaran

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Kumar Nikhil Sharan son of Shri Nawal Kishore Sharan, Resident of
Chanchal Baba Math, Motihari, P.S. Motihari, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through Superintendent of Police, East Champaran,
Motihari, Bihar
2. Sri Sonu Kumar, son of Shri Dhruv Narayan Prasad, Resident of Village and
P.O.- Jautar, P.S.- Chhaura Dano, District East Champaran, Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr. Iqbal Asif Niazi, AC to GP-5

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 16-07-2019

Despite repeated calls, no one appeared for
the petitioner. Learned counsel for the State is present.

2. This application has been filed by the
petitioner for quashing the first information report (for short
'FIR') of Chhauradano P.S. Case No.136 of 2013 registered *inter*
alia under Section 406 read with 34 of the Indian Penal Code.

3. A counter affidavit has been filed on behalf
of respondent no.1. In paragraph-10 of the counter affidavit it
has been stated that the Superintendent of Police, East
Champaran in his report-03 vide memo no.7947/CR dated
04.09.2015 being satisfied with the FIR, passed an order for



submission of charge-sheet and close the case and accordingly, in compliance thereof the investigating officer submitted charge-sheet no.150/15 dated 28.12.2015 and the case was closed.

4. It would be evident from the counter affidavit that charge-sheet was submitted on 04.09.2015 itself. It is not known what happened to the proceeding before the jurisdictional Magistrate after submission of the charge-sheet.

5. In the instant application filed on 18.03.2017, the petitioner has not whispered a word regarding either submission of the charge-sheet or present status of the case before the jurisdictional Magistrate.

6. In that view of the matter, I am not inclined to entertain this application. It is dismissed, accordingly.

(Ashwani Kumar Singh, J)

Md. S/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	20.07.2019
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