

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.667 of 2017

Arising Out of PS. Case No.-48 Year-2015 Thana- NAGARNAUSA District- Nalanda

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1. Bindeshwar Pal @ Bindeshwari Pal @ Bindeshwar Prasad S/o Saryug Pal @ Saryug Mahto,
 2. Suraj Devi, W/o Bindeshwar Pal,
 3. Raju Pal,
 4. Chandan Pal @ Chandan Kumar,
Both S/o Bindeshwar Pal,
All are resident of Village- Sakaraudha, P.S.- Nagarnausa, District- Nalanda.

... ..(Accused)- Petitioners

Versus

1. The State Of Bihar through the Principal Secretary Home Department.
2. Kunti Devi, W/o Binod Pal, resident of Village- Sakaraudha, P.S.- Nagarnausa, District- Nalanda.

... ..(Informant)-Respondents

Appearance :

For the Petitioners : Mr.Uma Shankar Singh, Advocate

For the Respondent-State: Mr.Md. Nadeem Seraj, GP-5

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 07-08-2019

This application under Articles 226 and 227 of the Constitution of India has been filed by the petitioners for quashing the first information report (for short 'FIR') of Nagarnausa P. S. Case No. 48 of 2015 registered *inter alia* under Section 498A read with Section 34 of the Indian Penal Code.

2. On perusal of the FIR, as contained in annexure-1 to this application, I find that one Kunti Devi submitted her written report to the Officer-in-charge, Nagarnausa Police Station on 09.04.2015 pursuant to which FIR has been



instituted and investigation has been taken up. In her written report, she has stated that on 08.04.2015, her husband along with the petitioners started assaulting her and asked her to go out of the house and tried to strangle her to death. He was rescued by the co-villagers, who assembled at the place of occurrence. She has raised suspicion that she may be killed any time by the accused persons named in the FIR. On the basis of the aforesaid written report submitted before the Station House Officer, Nagarnausa Police Station, Nagarnausa P. S. Case No. 48 of 2015 dated 09.04.2015 was registered *inter alia* under Section 498A read with Section 34 of the Indian Penal Code.

3. The allegations made in the FIR would clearly attract the ingredients of the offences as alleged.

4. In that view of the matter, I see no merit in this application.

5. It is dismissed, accordingly.

(Ashwani Kumar Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.08.2019
Transmission Date	08.08.2019

