

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1274 of 2016

Arising Out of PS. Case No.-303 Year-2016 Thana- GARKHA District- Saran

Sanjit Kumar @ Bablu son of Triyugi Nath Sinha, Resident of Village-
Mahammadpur, P.S.- Garkha, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Superintendent of Police, Saran.
3. The Officer In Charge, Garkha, Police Station, District- Saran.
4. Parmeshwar Prasad Singh son of late Shivperson Prasad Singh, Resident of
Village- Mahammadpur, P.S.- Garkha, District- Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Vishwanath Pd. Singh, Advocate
For the Respondent/s : Mr.Prabhat Kumar Verma

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 08-01-2019 This writ petition has been filed by the petitioner for quashing the FIR of Garkha P.S. Case No. 303 of 2016, dated 03.10.2016 registered inter alia under Section 307 of the Indian Penal Code and 27 of the Arms Act.

At the outset, it is submitted by Mr. Vishwanath Pd. Singh, learned senior advocate that during pendency of the case, the police have already submitted final report holding the accusation is mistake of fact. He contended that the writ petition may be disposed of with liberty to the petitioner that in case the court below differs with the police report and takes cognizance of the offence, the petitioner would be at liberty to challenge the same in accordance with law.



In view of the submissions made above, the writ
petition is disposed of with liberty to the petitioner aforesaid.

(Ashwani Kumar Singh, J)

Sushma/Suman.

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