

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.391 of 2017

Arising Out of PS. Case No.-312 Year-2013 Thana- FATUA District- Patna

=====

Arun Kumar S/o Late Mishri Singh R/o Village - Amokhri, P.S. Sirdala,
District- Nalanda.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Food and Civil Supplies,
Govt. of Bihar, Patna
2. The District Magistrate, Patna.
3. The District Manager, Bihar State Food and Civil Supplies Corporation, East
Boring Canal Road, Patna.
4. The Sub- Divisional Officer, Patna City, Patna.
5. The Station House Officer, Fatuha Police Station, Patna.

... .. Respondents

=====

Appearance :

For the Petitioner/s : Mr.Dudh Nath Singh, Advocate
For the Respondent/s : Mr.Lalit Kishore, A.G.

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 31-07-2019

This application under Articles 226 and 227 of the Constitution of India has been filed by the petitioner for quashing the first information report (for short 'FIR') of Fatuha P.S. Case No.312 of 2013 dated 12.09.2013 registered under Sections 406 and 420 of the Indian Penal Code.

2. On perusal of the FIR lodged on the basis of written report submitted by one Ajay Kumar Singh, District Manager, Bihar State Food and Civil Supplies Corporation Limited, Patna, as contained in Annexure-1 to this application, I find that the allegations against the petitioner, who is proprietor



of Shidhi Binyak Rice Mill, Sanaru, Fatuha is that he embezzled paddy worth rupees four crores twenty three lacs sixty seven thousand sixteen.

3. The allegation made in the FIR do attracts ingredients of a cognizable offence.

4. To hold investigation into a cognizable offence is the statutory right of the police.

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

6. The application is dismissed.

(Ashwani Kumar Singh, J)

Md. S/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	02.08.2019
Transmission Date	02.08.2019

