

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.717 of 2019

Arising Out of PS. Case No.-144 Year-2018 Thana- KHAJEKALA District- Patna

Vinod Kumar (Male aged about 65 years) Son of Late Vishwanath Prasad
Resident of Mohalla - Gurhatta (Badi Dev Ji Ashthan), P.S.- Khajekalan, P.O.-
Jhauganj, Distt - Patna.

... .. Petitioner

Versus

1. The State Of Bihar through The D. G. P. Bihar, Patna
2. The Senior Superintendent of Police, Patna, 800001 Patna, Bihar.
3. The City Superintendent of Police, Patna Town (East), Patna - 800001, Patna, Bihar.
4. The Sub Divisional Police Officer, Patna City, Patna - 800007, Patna, Bihar.
5. The S.H.O. Khajekalan, Patna City, Patna- 800008, Patna, Bihar.
6. Ganesh Prasad Son of Late Shyamsundar Prasad, Resident of Mohalla – Gurhatta, (Male) aged about 43 years P.S.- Khajekalan, Patna City, P.O.- Jhauganj, Distt - Patna. - 800008

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Chandra Moleshwar, Advocate
For the Respondent/s : Mr.Prabhat Kumar Verma, AAG-3

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 24-04-2019

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 Khajekalan P. S. Case No. 144 of 2018 dated 21.05.2018 registered under Sections 341, 323, 354 and 504 read with 34 of the Indian Penal Code and Section 3(1)(r) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.



2. It is submitted by the learned counsel for the petitioner that the allegations made in the FIR are absolutely false. The informant is the neighbour of the petitioner and no occurrence of offence, as alleged in the FIR, has ever taken place.

3. The plea of innocence taken by the petitioner cannot be a ground for quashing the FIR. The allegations made in the FIR, as contained in Annexure-1 to the present application, do attract the ingredients of a cognizable offence.

4. In that view of the matter, no illegality can be found with the action of the police whereby the FIR bearing Khajekalan P. S. Case No. 144 of 2018 has been instituted.

5. Accordingly, the application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.04.2019
Transmission Date	25.04.2019

