

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2317 of 2017

Arising Out of PS. Case No.-76 Year-2013 Thana- RAFIGANJ District- Aurangabad

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Anjani Kumari @ Srimati Anjani Kumari, Wife of Sri Kalicharan Kumar, D/o
Sri Ramdeo Mandal, Resident of Village-Kataria, P.S.- Muffasi, Dist- Munger.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Home, Govt. of Bihar, Patna.
3. The Principal Secretary, Department of Health and Family Welfare, Govt. of Bihar, Patna.
4. The Director General of Police, Bihar, Patna.
5. The District Magistrate-cum-Chairman, District Health Society, Aurangabad.
6. The Superintendent of Police, Aurangabad.
7. The Civil Surgeon-cum-Member Secretary, District Health Society, Aurangabad.
8. The Incharge Medical Officer, Primary Health Centre, Rafiganj, Aurangabad.
9. Dr. M.K. Sinha, Son of Late S.B.P. Sinha, Resident of M.P. Bagh, P.S.- Arah, District- Bhojpur the then incharge Medical Officer, Primary Health Centre, Rafiganj, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate
For the Respondent/s : Mr. Ramadhar Singh, GP-25

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 02-01-2019

Heard Mr. Manoj Kumar Singh, learned counsel for the
petitioner and Mr. Ramadhar Singh, learned Government Pleader
No.25 for the State.

2. This writ petition has been filed by the petitioner for
quashing of the first information report of Rafiganj P.S. Case
No.76 of 2013 registered under Sections 467, 468, 471 and 420 of
the Indian Penal Code



3. It is submitted by the learned counsel for the petitioner that there is no proper verification of certificates of the petitioner and the institution of the first information report is based on vague allegations.

4. On the other hand, learned counsel appearing for the State submitted that it is not a case in which the first information report can be quashed. He submitted that there is direct and specific allegation against the petitioner and another that they tried to obtain appointment by submitting forged and fabricated certificates. He contended that in course of investigation, the allegations were found true and on completion of investigation, the police have already submitted charge-sheet against the petitioner.

5. I find substance in the submission of the learned counsel for the State.

6. In view of the allegation made in the first information report, there can be no doubt that ingredients of a cognizable offence are attracted.

7. In that view of the matter, institution of the first information report can not be held to be bad. Furthermore, once the investigation is over and the police have found the allegation to be true, the first information report cannot be quashed. It is for the Magistrate concerned to look into the materials collected in course



of investigation including the first information report and pass appropriate orders in accordance with law.

8. Accordingly, the writ petition is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.01.2019
Transmission Date	03.01.2019

