

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.189 of 2018

Arising Out of PS. Case No.-438 Year-2016 Thana- ARA NAWADA District- Bhojpur

DR. Edwin F. Rawat @ DR. E.F. Rawat, S/o Late Jawahar Singh Rawat R/o Kurs Road Christ Methodist Church Lane behind Gyatri Shakti Peeth Aaliganj, Vikash Nagar, P.S. - Guduma, P.O. - Vikash Nagar, District - Lucknow.

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna
2. The Director General of Police, Bhojpur, Ara.
3. The Superintendent of Police, Bhojpur, Ara.
4. The Deputy Superintendent of Police, Bhojpur, Ara.
5. Officer in Charge, Bhojpur, Ara Nawada.
6. Binod Kumar Pandey S/o Gangeswar Prasad R/o Amir Chad Kothi, Pakrai, P.S. - Nawada, District - Bhojpur Ara.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Durga Narayan, Advocate
For the Respondent/s	:	Mr. Parthsarthi, GA-4

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 21-01-2019

Heard learned counsel for the petitioner and learned counsel for the State.

2. This writ petition has been filed by the petitioner with a prayer to quash the first information report of Ara Nawada P.S. Case No.438 of 2016 dated 26.06.2016 registered under Sections 341, 323, 504, 420 and 406 of the Indian Penal Code.

3. A counter affidavit has been filed on behalf of respondent no.3 wherein it has specifically been stated that after the completion of investigation of Ara Nawada P.S. Case No.438 of 2016, the case has been found true against seven FIR named



accused persons, namely, 1. Bishop Phillip S. Masih, 2. M.A. Daniel, 3. Dr. E.F. Rawat, 4. Rev Alfred Andrews, 5. Manzar Masih, 6. J.H. Mani, 7. Pradeep Jaiswal and the police have submitted charge-sheet no.146/18 dated 30.03.2018 against all of them. However, the petitioner has been shown to have died on 20.01.2018.

4. The statement made in the counter affidavit has not been controverted by the petitioner by way of filing any rejoinder.

5. As the petitioner has died a year ago, the writ petition has become infructuous.

6. In that view of the matter, it is dismissed as infructuous.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.01.2019
Transmission Date	22.01.2019

