

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37248 of 2019

Arising Out of PS. Case No.-3 Year-2019 Thana- PARAIYA District- Gaya

1. Bijay Kumar, aged 48 years, male, Son of Inderdeo Yadav, Resident of Village - Maranchi, P.S.- Paraiya, District- Gaya.
2. Rajendra Yadav @ Ranga Billa, male, 40 years, Son of Chhedi Yadav Resident of Village - Lodipur, P.S.- Paraiya, District- Gaya.
3. Surendra Yadav, male, 46 years, Son of Deodhari Yadav, Resident of Village - Bisho, P.S.- Paraiya, District- Gaya.
4. Suresh Prasad, 32 years, male, Son of Nanhak Yadav, Resident of Village - Bisho, P.S.- Paraiya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Adv.

For the Opposite Party/s : Mr. Abhay Kumar Roy, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 25-06-2019 The petitioners seek quashing of the First Information Report, bearing name and number Paraiya P.S. Case No. 03 of 2019 dated 05.01.2019 instituted for the offences under Sections 399 and 402 of I.P.C., Sections 25(1-b)a and 26 of the Arms Act and Section 37(b) of the Bihar Excise Amendment Act.

2. It appears from the First Information Report that in front of two independent witnesses, during raid, the



petitioners were arrested and from their possession, country made pistol and live cartridges were recovered.

3. It has been submitted at the Bar that the petitioners have been granted bail in the aforesaid case.

4. The allegations in the First Information Report do not warrant any interference with the investigation by the police. The matter ought to be investigated.

5. Since no case has been made out by the petitioners for quashing of the First Information Report, this Court directs the petitioners to participate in the investigation as they have been granted bail. In case, they are found evading participation in the investigation, it would be open for the informant/Investigating Officer to make necessary application for cancellation of their bail.

6. This petition is dismissed with the aforesaid direction.

(Ashutosh Kumar, J)

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