

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40738 of 2019

Arising Out of PS. Case No.-202 Year-2018 Thana- JANDAHA District- Vaishali

Binod Kumar Choudhary @ Binod Choudhary son of Late Ram Lakhan Choudhary Resident of Village - Jandaha, P.O. - Jandaha, P.S.- Jandaha, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Om Prakash Sahani Son of Ramjee Sahani Resident of Village - Dulaure, P.S.- Jandaha, District- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha
For the Opposite Party/s : Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-07-2019 The petitioner seeks quashing of the F.I.R bearing Jandaha P.S. Case No. 202 of 2018 dated 14.08.2018 which has been instituted for the offences under Sections 302, 120(B), 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Mr. Pranav Kumar Jha, learned advocate for the petitioner has submitted that though the petitioner is named in the F.I.R but nothing specific has been attributed against him. He further submits that the accusation against the petitioner and others is only on



the basis of past enmity and some dispute with respect to election of *Pramukh*. The deceased in this case is a *Pramukh*. It has further been submitted that two of the eye witnesses to the occurrence have not named the petitioner.

This Court is afraid, these cannot be the grounds for quashing of the F.I.R and stopping the investigation of the case midway. The occurrence of murder led to lodging of three difference cases, one being the subject F.I.R. The supporters of the *Pramukh* are also alleged to have indulged in brick-batting, holding people to ransom and attacking the police party.

In any view of the matter, the investigation ought to be completed. This Court can only direct that the investigation be carried out in all earnest and a report be submitted at an early date.

Needless to state that if the petitioner feels aggrieved by the report of the investigation and its acceptance by the Court, he may approach the



appropriate forum for the needful, if so advised.

The petition stands dismissed with the aforesaid
observation/direction.

(Ashutosh Kumar, J)

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