

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38452 of 2019

Arising Out of PS. Case No.-26 Year-2018 Thana- Sahpur District- Patna

Tapeshwar Thakur S/o Late Shanichar Thakur R/o village- Bhagwanpur, P.S.-
Naubatpur, District- Patna. At present Muhalla- Balmichak, P.O.- Anisabad,
P.S.- Phulwari Sharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-07-2019 Heard the learned counsel for the parties.

The petitioner seeks quashing of the F.I.R. of
Shahpur P. S. Case No. 26 of 2018 which has been
registered under Sections 420, 406, 504 and 34 of the
Indian Penal Code.

Though an effort has been made by the petitioner
to demonstrate from the averments made in the F.I.R. that
the petitioner is complete outsider to any transaction but the
sum and substance of the allegation in the F.I.R. is that the
informant has been duped of his money, in which conspiracy,
the petitioner has also participated.

There could be substance in the submission urged



on behalf of the petitioner but these aspects can only be seen in the investigation. The power to investigate is plenary and the same can be stopped midway only if it is found that no offence from the reading of the F.I.R. is made out at all. From a reading of the F.I.R., such submission cannot be accepted.

This Court has also been informed that the petitioner has been granted anticipatory bail by a Bench of this Court.

This Court is not inclined to accept the prayer made on behalf of the petitioner for quashing the F.I.R. with respect to the petitioner.

The petition is dismissed.

However, it is expected that the investigating agency shall complete the investigation without any unnecessary delay within a reasonable period.

(Ashutosh Kumar, J)

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