

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14592 of 2015

Arising Out of PS. Case No.-410 Year-2013 Thana- PATNA COMPLAINT CASE District-
Patna

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Ram Pravesh Yadav @ Ram Pravesh Rai Son of Brijnandan Rai Resident of
Village- Badaur, P.s- Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Chinta Devi W/o Karudas resident of Village Simari P.O +P.S Bakhtiyarpur,
Disrict- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ibrihim Kabir

Mr.Shruti Sinha

For the State

Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-06-2019 Heard learned counsel for the parties.

This application has been filed under Section 482 of the Cr. P.C. for quashing of the entire criminal proceeding arising out of Complaint Case No. 410 (c) of 2013, registered for the offence punishable under Sections 457, 354 and 323 of the Indian Penal Code and Section 3/4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Learned counsel, appearing on behalf of the petitioner, has submitted that the petitioner has been implicated falsely because he is an R.T.I. activist and he was exposing the misdeeds of several persons by invoking the provisions of the



Right to Information Act. He contends that lodging of the complaint case is malicious and abuse of the process of the court.

From the record, it is evident that the court below has taken cognizance on perusal of the complaint petition and the statement of the complainant on solemn affirmation and the statements of the other witnesses.

I find it difficult to accept the submission made on behalf of the petitioner at this stage, since in my opinion, the allegations made in the complaint petition do constitute the offence, for which cognizance has been taken.

However, the petitioner shall be at liberty to raise the plea, which he has raised in the present application, at the time of framing of charge.

The application is disposed of with the observation, as above.

(Chakradhari Sharan Singh, J)

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