

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1323 of 2016

Arising Out of PS. Case No.-23 Year-2006 Thana- MAJHAHGARH District- Gopalganj

Birendra Mahto son of Ramdut Mahto Resident of Village:- Bhuwali Tola,
P.S.:- Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Old Secretariat, Patna.
3. The Inspector General of Police, Muzaffarpur Zone, Bihar.
4. The Deputy Inspector General of Police, Saran at Chapra.
5. The Superintendent of Police, Gopalganj.
6. The Sub-Divisional Officer, Gopalganj.
7. The Station House Officer of Manjhagarh P.S. , District:- Gopalganj.
8. the Investigating Officer of Manjhagarh P.S. Case No. 23/06, Police Station:- Manjhagarh, District:- Gopalganj.
9. Lalan Mahto Son of Jhulan mahto resident of Village:- Maghi Nimuiya, Police Station:- Manjhagarh, District:- Gopalganj

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate
For the Respondent/s : Mr.Sheo Shankar Prasad,SC-8

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 08-01-2019

This writ petition has been filed by the petitioner for quashing the FIR of Manjhagarh P.S. Case No. 23 of 2006 dated 26.02.2006 registered under Sections 304B and 201 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

2. At the outset, it is conceded by the learned counsel for the petitioner that not only the FIR was instituted 12 years ago but on completion of the investigation, the police had also submitted charge-sheet against accused persons, namely, Rajesh Mahto and Bilaiya Devi who had already faced trial vide Sessions Trial No.



66 of 2008 in the court below. Even otherwise, I find that the allegations made in the FIR clearly attract the ingredients of cognizable offences under Section 304B of the Indian Penal Code.

3. The writ petition is not only devoid of merit but is also an abuse of the process of the court. It is dismissed accordingly.

(Ashwani Kumar Singh, J)

Sushma/SKSuman.

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11-01-2019
Transmission Date	11-01-2019

