

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1096 of 2016

Arising Out of PS. Case No.-254 Year-2016 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

Sanjay Priyadarshi, aged about 57 years, Son of Nareshwar Prasad, R/O 3rd Floor, Matri Sukh Dadiji Lane, P.S. S.K. Puri, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The Director General of Police, Govt. of Bihar, Patna.
3. The Deputy Inspector General, Muzaffarpur Pramandal, Muzaffarpur.
4. The District Magistrate, Muzaffarpur.
5. Senior Superintendent of Police, Muizaffarpur.
6. The Officer-in-Charge, Kajipur Police Station, Muzaffarpur.
7. Sri Ram Balak Prasad Son of Late Shivjee Sao, R/O Kathalwari, P.S. L.N. Mithila University, District- Darbhanga.
8. Bihar State Food and Civil Supply Corporation through its Managing Director, Bihar, Patna.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 07-01-2019

This writ petition has been filed by the petitioner for quashing the first information report of Kajipur (KMP) P.S. Case No.254 of 2016 registered under Sections 119 and 409 of the Indian Penal Code.

2. On perusal of the first information report as contained in Annexure-1 to the present writ petition, I find that the allegations made therein do attract ingredients of cognizable offence punishable under Section 409 of the Indian Penal Code. Moreover, from perusal of the counter affidavit, it would appear



that on completion of investigation, the police have already submitted charge-sheet in the case vide charge-sheet no.95 to 2013 dated 08.08.2013 and the petitioner has been sent up for trial. After more than three years from the date of filing of the charge-sheet, the instant writ petition has been filed by the petitioner for quashing the first information report, which is nothing but an abuse of process of the Court.

3. Accordingly, the writ petition is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.01.2019
Transmission Date	07.01.2019

