

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1170 of 2016

Arising Out of PS. Case No.-86 Year-2012 Thana- CHAURADANO District- East
Champaran

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Md. Akhlakh @ Md. Ekhlakh @ Akhlakh Ahmad son of Safiullah resident of
Village - Purushottampur, P.S. - Chhauradano, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, East Champaran, Motihari.
2. The Superintendent of Police, East Champaran, Motihari.
3. The Officer-In-Charge, Chhauradano, P.S. East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate
For the Respondent/s : Mr.Prabhat Kumar Verma , AAG-3

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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 FIR of Chhauradano P.S. Case No. 86 of 2012 dated 21.10.2012 registered under Sections 414 and 420 of the Indian Penal Code.

2. The FIR has been instituted on the self statement of Sub-inspector of police Ram Nath Prasad alleging therein that on 17.10.2012 at about 17:00 PM he received secret information that the petitioner has kept a stolen Bolero Jeep in Purushottampur, bearing registration no. BR 30A-6108 and then he along with other police personnel reached at the house of one Ved Prakash and recovered the Bolero Jeep covered with plastic sheet in the filed. Thereafter, in presence of two witnesses,



namely, Ahmad Ali and Akram, the vehicle was seized and the seizure list was prepared in accordance with law.

3. The allegations made in the FIR do attract ingredients of a cognizable offence punishable under Section 414 of the Indian Penal Code. To hold investigation into a cognizable offence is the statutory right of the police.

4. In that view of the matter, neither the institution of the FIR nor its investigation can be held to be bad.

5. The writ petition, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

Md. S/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	09.01.2019
Transmission Date	09.01.2019

