

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1276 of 2016

Arising Out of PS. Case No.-688 Year-2016 Thana- SASARAM NAGAR District- Rohtas

1. Rajhans Mehta Son of Ayodhya Singh
2. Arjun Singh Son of Kalika Singh
3. Prashant Kumar Singh @ Pintu @ Prashant Kumar Son of Bhupal Singh All residents of Village - Dhanpurwa, P.O. & P.S. - Sasaram, District - Rohtas (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Mithilesh Kumar Singh son of Sri Sudhir Kumar Singh
3. Sudhir Kumar Singh son of Late Nand Kishore Singh Sl. No. 2 & 3 are residents of village - Dhanpurwa, P.O. & P.S. - Sasaram, District - Rohtas (Bihar).
4. The Sub Divisional Officer, Sasaram, District - Rohtas (Bihar).
5. The Circle Officer, Sasaram, District - Rohtas (Bihar).
6. The Station House Officer, Sasaram Police Station, District - Rohtas (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dhanendra Chaubey
For the Respondent/s : Mr.Md. Nadeem Seraj (Gp-5)

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 08-01-2019

Heard learned counsel for the petitioners and learned counsel for the State.

2. This writ petition has been filed by the petitioners for quashing the First Information Report of Sasaram Town P.S. Case No. 688 of 2016 registered under Sections 147, 149, 341, 384, 427, 504 & 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. On perusal of the First Information Report as contained in Annexure-I to this writ petition, I find that on 15.06.2016 one Mithlesh Kumar Singh lodged a written report before S.H.O., Sadar, Sasaram, Rohtas stating inter alia that measurement work of village Dhanpurwa Khata No. 194, Plot No. 996 & 998 was going on since last two days. On 15th of June,



2016 at about 1.00 P.M. petitioners along with five others named in the F.I.R. and 10 to 12 un-known persons being variously armed with pistol, iron rod, *Lathi, Danda* etc. started assaulting the labourers. Thereafter, they opened fire in air and damaged certain pillars. They also threatened the informant to pay Rs. 15,000,00/- ‘as Rangdari’ failing which no work will be allowed to be undertaken. The allegations made in the F.I.R. clearly attract ingredients of cognizable offences. To hold investigation into cognizable offence is the statutory right of the police. At this stage, the Court has no role to play.

4. In that view of the matter, I see no illegality either in institution of the F.I.R. or its investigation. The application, being devoid of any merit, is dismissed.

(Ashwani Kumar Singh, J)

Sushma/Suman/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.01.2019
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