

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.7 of 2017

Arising Out of PS. Case No.-73 Year-2016 Thana- SC/ST District- Sitamarhi

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Ramanand Prasad son of Late Ram Ekbal Sah resident of Mohalla -
Jankisthan, Ward No. 2, P.S. + District - Sitamarhi.

... .. Petitioner

Versus

1. The State of Bihar through Home Secretary, Govt. of Bihar, Patna.
2. Director General of Police, Bihar, Patna.
3. Inspector General of Police Tirhut Commissionery Muzaffarpur.
4. Deputy Inspector General of Police (Tirhut Commissionary) Muzaffarpur.
5. The District Magistrate, Sitamarhi.
6. The Superintendent of Police, Sitamarhi.
7. Deputy Superintendent of Police Sitamarhi Town, Sitamarhi.
8. Deputy Superintendent of Police, Sitamarhi Head Quarter, Sitamarhi.
9. The Officer in-charge, Sitamarhi.
10. The Offence In-charge, (SC/ST), Sitamarhi.
11. Vishar Mohan Ram, Officer-in-charge (SC/ST) Police Station, Sitamarhi
Town, Sitamarhi.
12. Surendra Rai Jamadar Sitamarhi Town, SC/ST Police Station Town, District -
Sitamarhi.
13. Ashok Kumar Rai Jamadar Sitamarhi Town SC/ST Police Station, District -
Sitamarhi.
14. Samua @ Shyam Babu Yadav Head of M.C.C. S/o Sayanarayan Rai, Yadav
Nagar, Riga, Distt. - Sitamarhi.
15. Murlidhar Singh @ Madhusudan Singh son of Late Shyam Nandan Singh @
Band M.C.C. Area Commandar resident of village - Kharsar, P.S. - Riga,
District - Sitamarhi.
16. Nishant Kumar Singh @ Nitish Kr. Singh S/o Narendra Kumar Singh @
Kalicharan (Land Contractor/Sellor) Sitamarhi Ward No. 1, P.S. & District -
Sitamarhi.
17. Subansh Rai son of Ramdev Rai resident of Village - Yadav Nagar, Sitamarhi
Ward No. 1, P.S. & District - Sitamarhi.



18. Mahendra Ram son of Parmeshwar Ram (M.C.C.) resident of village - Kharsan, P.S. Riga, District Sitamarhi.
19. Madhuresh Sharan S/o Raghu Nandan Prasad @ Gopal Jee resident of Mohalla - Dumara, (Road No. 3), District - Sitamarhi.
20. Madhu Shankar Singh son of Ram Lagan Singh resident of Village - Kherganj, P.S. Riga, District Sitamarhi.
21. Baidyanath Thakur son of not known resident of village - Sahiyara, P.S. & District - Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar
For the Respondent/s : Md.Nadim Seraj, GP-5

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT
Date : 09-01-2019

This writ petition has been filed by the petitioner for quashing the first information report (for short 'FIR') of Sitamarhi Town (ST/SC) P. S. Case No. 73 of 2016 registered under Sections 341, 323, 420, 120B and 467 of the Indian Penal Code as also Section 3(1)(x)(xviii) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.

2. The FIR is based on the complaint instituted by Mahendra Ram, which was sent to the police for investigation in exercise of powers conferred under Section 156(3) of the Code of Criminal Procedure.

3. On perusal of the FIR, as contained in Annexure-1, it would appear that the complainant Mahendra Ram has alleged that the petitioner and others intercepted him near bus stand and



assaulted him with legs and shoes and abused him by taking his caste name '*chamar*'. The allegations made in the FIR do attract the ingredients of the offence punishable under Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.

4. Learned counsel appearing for the State contended that the allegations were found true in course of investigation and on completion of investigation, the police have already submitted charge-sheet in the case.

5. Considering the nature of allegations, which were found true in course of investigation, I see no merit in this writ petition. It is dismissed, accordingly.

(Ashwani Kumar Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.01.2019
Transmission Date	11.01.2019

