

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1104 of 2018

Arising Out of PS. Case No.-6 Year-2018 Thana- BOCHAHAN District- Muzaffarpur

Sundar Lal @ Sundar Lal Sahani, son of Shiv Shankar Sahani, Resident of village – Muradpur Kashi, P.S. - Bochaha, District – Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar, through Principal Secretary, Department of Home (police), Govt. of Bihar, Patna.
2. The Director General cum Inspector General of Police, Muzaffarpur.
3. The Inspector General of Police, Muzaffarpur.
4. The Deputy Inspector General of Police, Muzaffarpur.
5. The Superintendent of Police, Muzaffarpur.
6. The Officer Incharge of Bochaha Police Station, District – Muzaffarpur, namely Dhananjay Sharma, SHO
7. The Investigation Officer of Bochaha P.S. Case No. 06 of 2018, District – Muzaffarpur, namely S.I. Ram Pravesh Kumar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ram Sandesh Roy, Advocate
For the Respondent/s : Md. N.H. Khan, SC-1

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 08-01-2019

Defects pointed out by the registry are ignored.

2. Heard learned counsel for the petitioner and learned counsel for the State.

3. This writ petition has been filed by the petitioner for quashing the first information report of Bochaha P.S. Case No. 06 of 2018 dated 08.01.2018 registered under Sections 341, 323, 307, 354(B), 504 and 506 read with Section 34 of the Indian Penal Code as well as Section 3(2)(va), 3(1)(r) & (s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities Act), 1989 (for short ‘the Act’).



4. On perusal of the first information report, it would appear that the informant Geeta Devi has alleged that she had worked in the agricultural field of the petitioner for which she demanded her wages, which was denied by the petitioner and his father. When she protested against the non-payment of wages on 05.12.2017, the accused persons including the petitioner intentionally insulted and abused the informant, a member of Scheduled Caste. She has also alleged that they disrobed her in full public view.

5. The allegation made in the first information report would clearly attract the ingredients of the offences alleged under the Act.

6. Since the offences are cognizable in nature, neither the institution of the first information report nor its investigation can be held to be bad.

7. In that view of the matter, I see no merit in this writ petition. It is dismissed, accordingly.

(Ashwani Kumar Singh, J.)

Sanjeet/R.Ranjan-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.01.2019
Transmission Date	09.01.2019

