

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2163 of 2018

Arising Out of PS. Case No.-95 Year-2007 Thana- PARAIYA District- Gaya

Ramsewak Singh, son of Shri Nathun Singh, resident of village-Ubhai, P.S.-
Praiya, District - Gaya.

... .. Petitioner

Versus

1. The State of Bihar
2. The Director General of Police, Bihar, Patna.
3. The Deputy Inspector General of Police, Magadh Range, Gaya.
4. The Superintendent of Police, Gaya.
5. The Sub Divisional Officer Tekari, Gaya.
6. The Block Supply Officer, Praiya, Gaya.
7. The Block Development Officer Praiya, Gaya.
8. The Officer Incharge Praiya, Gaya.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Nand Kishore Prasad Sinha, Advocate
For the Respondent/s	:	Mr. Sheo Shankar Prasad, SC-8

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 29-04-2019

This application under Articles 226 and 227 of the Constitution of India has been filed by the petitioner for quashing the entire criminal prosecution in connection with Paraiya P.S. Case No.95 of 2007 dated 06.12.2007 registered under Section 7 of the Essential Commodities Act.

2. It has been contended by the learned counsel for the petitioner that since the date of institution of First Information Report (for short 'FIR') more than eleven years have elapsed, neither the charge-sheet has been submitted by the police nor



cognizance has been taken nor charges have been framed nor the trial has commenced. A similar statement has been made in para 1 of the petition.

3. A counter affidavit has been filed on behalf of the State in which it has categorically been stated that the averments made by the petitioner in para 1 are not correct. The police have already submitted charge-sheet no.41 of 2008 dated 30.04.2008. The said charge-sheet has also been brought on record as Annexure-B to this application.

4. Apparently, the petitioner has not approached this Court with clean hands. On the basis of an apparently false statement, he is trying to obtain a favourable order. Hence, he is not entitled to any relief from the Court.

5. The application is dismissed.

(Ashwani Kumar Singh, J.)

Sanjeet/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30.04.2019
Transmission Date	30.04.2019

