

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.85 of 2020

Arising Out of PS. Case No.-882 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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Kashyap Kunal, Son of Late Hari Shankar Ram, Resident of Navranga Bagh,
P.S.- Bettiah Town, West Champaran, Bihar
Permanent address - Amwa Bairagi Tola, Senuaria Manjhauliya, P.S.-
Manjhauliya, West Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar, Through the Chief Secretary
2. The Chief Secretary, Government of Bihar
3. The Department of Home Affairs, Government of Bihar through Secretary,
Department of Home Affairs, Govt. of Bihar.
4. The Superintendent of Police, Bettiah, West Champaran.
5. The S.H.O., Town Thana, Bettiah, West Champaran.
6. Sub-Divisional Officer, Bettiah Sadar, West Champaran.
7. Devre Nilesh Ramchandra, Presently at office of the Collector and District
Magistrate, At and P.O. - Bettiah, Currently functioning as Collector and
Distt. Magistrate, Bettiah, West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr.Sumit Shekhar Pandey, Advocate
For the State	:	Mr.Ajay Kumar, A.C. to G.P.-4

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 19-02-2020 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner seeks the following reliefs:

“i. For issuance of writ/writs, order/orders,
direction/directions quashing the prosecution case
against the petitioner started on the basis of F.I.R.
vide Bettiah Town Thana P.S. Case No.882 of
2019 under Sections 420, 384/34 of the I.P.C. and
7/8 of the Prevention of Corruption Act, 1988 and



pending adjudication before learned C.J.M., Bettiah”

ii. For issuance of writ/writs, order/orders, direction/directions to the respondent-authorities to transfer respondent no.7 from West Champaran to any other district.”

Learned counsel for the petitioner submits that the impugned order is wholly violative of the provisions of the law and thus may be quashed.

Learned counsel for the State submits that the application is wholly misconceived both on facts and in laws and the Sub-divisional Officer, West Champarn at Bettiah has filed the present F.I.R. after receiving instructions from the higher authorities and has done so after annexing all the relevant materials which were to be used for the purpose of lodging the case against the accused persons and thus the writ application is fit to be dismissed.

Having perused the F.I.R. and also other relevant documents annexed with the present writ application, I am not inclined to interfere with the matter under Article 226 of the Constitution of India. The writ application is, accordingly, dismissed.

(Anjana Mishra, J)

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