

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.894 of 2017

Arising Out of PS. Case No.- Year-1111 Thana- District-

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Ghanshyam Yadav Son of Late Tulsi Yadav, Resident of Village- Baliyadih,
P.S.- Jhajha, District- Jamui.

... .. Petitioner/s

Versus

1. The State Of Bihar Through Director General Of Police, Bihar, Patna
2. The Inspector General of Police, Bhagalpur Zone, Bhagalpur.
3. The Deputy Inspector General of Police, Munger.
4. The Superintendent of Police, Jamui, District Jamui.
5. The Sub Divisional Police Officer, Jhajha, District Jamui.
6. The Station Head Officer S.H.O., Police Station Jhajha, District Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None.
For the Respondent/s : Mr.Iqbal Asif Niazi, AC to GP-5

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 23-01-2020 No one appears on behalf of the petitioner. Counsel
for the State is present.

Learned counsel for the State submits that the present application is confined to the prayer for direction to respondent no.6, the Station Head Officer SHO, Police Station Jhajha, district-Jamui to register the first information report against accused persons, namely, Chaturanand Yadav, son of Tori Yadav, Gendhar Yadav and Mundrika Yadav.

A counter affidavit has been filed on behalf of the respondents wherein, it has been submitted that application



dated 04.10.2016 was lodged against the petitioner, and, therefore, the petitioner's application dated 02.10.2016 was not entertained and registered at the police station and as report was sought for from the Police Inspector-cum-Station House Officer through memo no.131 legal dated 23.06.2017 so as to ascertain the facts of the case. However, the Police Inspector-cum-Station House Officer, P.S. Jhajha reported on 25.06.2017 that the matter was enquired and it came to his knowledge that there was a land dispute between the parties which has resulted in some altercation regarding cutting of pulses from the field. However, on the following day, the son of Chaturanand Yadav was assaulted by Dhano Yadav and others for which Jhajha P.S. Case No.220 of 2016 was registered.

In the said case, after investigation, chargesheet has been submitted on 27.01.2017 under Sections 341, 323, 379, 504 and 506 of the Indian Penal Code. Furthermore, another proceeding under Section 144 of the Cr.P.C. has been instituted at the instance of Chaturanand Yadav and a proceeding under Section 107 of the Cr.P.C. had been initiated between the parties on 03.10.2016.

Thus, the prayer of the petitioner is wholly untenable and may be rejected. No rejoinder has been filed by the



petitioner in this case so copy of the same has been served on
oath on 17.08.2017 itself.

After consideration of aforementioned facts and
circumstances, the present writ application does not warrant any
interference and, is accordingly, dismissed.

(Anjana Mishra, J)

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