

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79444 of 2018

Arising Out of PS. Case No.-74 Year-2016 Thana- HABIBPUR District- Bhagalpur

Sunil Shekhar, S/o Yudhishtir Mandal, Resident of Mohalla-Salehpur, P.S.-
Habibpur, District - Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Akhileshwar Prasad Singh, Senior Advocate Mr. Prabhu Narayan Sharma, Advocate
For the Opposite Party	:	Mr. Arun Kumar Singh -5, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 26-02-2020 Heard Mr. Akhileshwar Prasad Singh, learned
senior advocate appearing for the State.

Admittedly, the investigation is over and a police
report has already been submitted before the court under Section
173(2) of the Code of Criminal Procedure.

In that view of the matter, at this stage, the prayer
of the petitioner for quashing of the first information report
cannot be considered. Accordingly, the application preferred
under Section 482 of the Code of Criminal Procedure for
quashing the first information report of Habibpur P.S. Case
No.74 of 2016 is dismissed.

However, if so aggrieved, the petitioner would be
at liberty to challenge the order taking cognizance passed under
Section 190 of the Code of Criminal Procedure by the court of



Magistrate pursuant to appreciation of the materials on record including the report submitted by the police under Section 173(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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