

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.86418 of 2019**

Arising Out of PS. Case No.-470 Year-2019 Thana- BHAGWAN BAZAR District- Saran

1. NIZAMUDDIN Son of Late Shekhawat Hussain Resident of Village - Garhiteer, P.S.- Bhagwan Bazar, District - Saran at Chapra.
2. Nazara Sultana @ Minu Wife of Nizamuddin Resident of Village - Garhiteer, P.S.- Bhagwan Bazar, District - Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nagma Khatoon Wife of Md. Abdulla Hussain Resident of Village - Garhiteer, P.S.- Bhagwan Bazar, District - Saran at Chapra.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Akhileshwar Pandey  
For the Opposite Party/s : Mr.Rabindra Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      09-01-2020                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

The petitioners, in the present case, are seeking quashing of the First Information Report filed by opposite party no. 2 vide Bhagwan Bazar P.S. Case No. 470 of 2019 under Sections 341, 323, 354(B), 379, 504, 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that there is case and counter case and that is why the present case has been lodged to falsely implicate the petitioners.

Learned A.P.P. for the State submits that on a bare



reading of the Fardbeyan of opposite party no. 2 it would appear that there are allegations of assault against these petitioners and the matter is still under investigation, therefore, at this stage, this court did not exercise its extraordinary inherent power to quash the first information report.

Having heard learned counsel for the petitioners and learned A.P.P. for the State as also on perusal of the records, this court is of the considered opinion that that there being allegations against the petitioners which are apparent from the fardbeyan of opposite party no. 2 and the matter is still under investigation, at this stage, it would not be just and proper and no ground has been made out by learned counsel for the petitioners to invoke inherent power of this court to quash the First Information Report.

This Application has no merit. It is dismissed accordingly.

**(Rajeev Ranjan Prasad, J)**

Rajeev/-

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