

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.160 of 2020

Arising Out of PS. Case No.-662 Year-2019 Thana- KHAGARIA District- Khagaria

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1. Saket Kumar, Son of Vivekanand Jha Resident of Village - Kabela, P.S.- Parbatta, District- Khagaria, Bihar - 851215
 2. Dhurv Kumar Sharma @ Sri Dhurv Sharma, Son of Late Umesh Sharma Resident of Ward No. 15, Village - Balha, P.S.- Parbatta, Araria, District- Khagaria, Bihar-851203

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Bihar
2. Principle Secretary, Home, Government of Bihar, Patna
3. The Superintendent of Police, Khagaria
4. Officer Incharge, Khagaria (Chitragupt Nagar), P.S., Khagaria
5. The Investigating Officer, Khagaria (Chitragupt Nagar), Police Station, Khagaria

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Aditya Prakash Sahay, Advocate
For the Respondent/s : Mr.Dr. Mankeshwar Tiwari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-03-2020 This application has been preferred by the petitioners requesting this Court to quash Khagaria (Chitragupt Nagar) P. S. Case No. 662 of 2019 registered for the offences under Sections 500/34 of the Indian Penal Code, 67 of IT Act and Section 23 of the POCSO Act.

It is the case of the petitioners that they are social activists and because of political reasons they have been falsely implicated. Learned counsel for the petitioners submits that no offence at all is made out against the petitioners in this case.



Learned counsel for the State submits that the F.I.R. has been lodged only on 25.08.2019, the matter is still under investigation and in course of investigation materials have come against the petitioners.

Be that as it may, this Court finds no reason to interfere with the on-going investigation at this stage as according to learned counsel for the State the matter is still under investigation and even materials have been collected against the petitioners. This application is not fit to be entertained for quashing of the F.I.R.

After completion of investigation if a final report is submitted against the petitioners and cognizance is taken thereon and in case the petitioners are called upon to face the trial, at that stage they will have liberty to seek their remedy as may be advised in accordance with law.

This Court has not formed any opinion for the present on the allegations made against the petitioners.

The application stands disposed of.

(Rajeev Ranjan Prasad, J)

vats/-

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