

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43025 of 2017

Arising Out of PS. Case No.-341 Year-2011 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Rudal Singh @ Rudra Narayan Singh and Ors son of Bishundeo Singh
 2. Golu Singh son of Rudal Singh @ Rudra Narayan Singh
 3. Sandya Devi wife of Rudal Singh @ Rudra Narayan Singh All 1 to 3 resident of Bari Eghu, P.S. Mufasil, District- Begusarai.
 4. Murari Singh son of Late Hari Shankar Singh resident of Village- Choti Eghu, P.S. Mufasil, District Begusarai.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Pano Devi wife of Late Biso Yadav resident of Village- Bari Eghu, P.S. Mufasil, District- Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate
For the Opposite Party/s : Mr. Sri S.M. Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 17-11-2022

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The present application has been filed for quashing the F.I.R. registered as Begusarai (Sadar) Muffasil P.S. Case No. 341 of 2011 (G.R. No. 3056 of 2011) for an offence under Section 364/34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including these petitioners reached to the house of the informant and started assaulting the son of the informant. They



alleged that the informant has stolen jewelry from their house and they took him with them. Later on they told the informant that her son will return after 5-6 months and on the same day she came to know that her son has been killed after being kidnapped by the accused persons.

4. Learned counsel for the petitioners submits that the F.I.R has been instituted on 17.10.2011 and the informant was examined under Section 164 of the Cr.P.C. on the very next day i.e. on 18.10.2011 but till date the final form has not been submitted by the prosecution. He next submits that the F.I.R has been lodged for an occurrence which had taken place six months ago and the petitioners have not committed any offence as alleged in the F.I.R. He further submits that till date after lapse of about six years no final report has been submitted by the Investigating Officer.

5. Learned Additional Public Prosecutor for the State on the other hand vehemently opposed the prayer of the petitioners and submits that from perusal of the F.I.R it appears that the petitioners have committed offence as mentioned in the F.I.R and in this stage no interference is required by this Court.

6. Upon hearing the parties and materials available on record, this Court finds that no case is made out for quashing



the F.I.R.

7. In this view of the matter, the quashing application stands dismissed.

(Rajesh Kumar Verma, J)

Vanisha/-

AFR/NAFR	NAFR
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