

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60477 of 2017

Arising Out of PS. Case No.-643 Year-2016 Thana- ARARIA District- Araria

Chanchal Kumar Verma, son of Late Sri Narayan Prasad Verma, Resident of
Village- Kodariya Hetim, P.S.- Fenhara, District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. District Manager, State Food Corporation, Araria, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh

For the Opposite Party/s : Mr. S. Ehteshamuddin
Mr. Harish Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks quashing of the F.I.R. bearing
Araria P. S. Case No.643 of 2016 registered under Sections 406,
409, 120B/ 34 of the I.P.C.

The learned counsel for the petitioner submits that
earlier Raniganj P. S. Case No.47 of 2016 dated 11.02.2016 was
registered under Sections 406, 409, 420, 467, 468, 120B and 34
of the I.P.C. by Ashok Kumar Mandal (informant). It is next
submitted that the said F.I.R. was instituted against four accused
persons in which petitioner was not an accused.

The learned counsel next submits that the present
F.I.R. has been instituted by Birendra Nath Gupta (informant)
on the same set of allegation as alleged in Raniganj P. S. Case



No.47 of 2016. The learned counsel for the petitioner submits that since Raniganj P. S. Case No. 47 of 2016 was also instituted and if the involvement of the petitioner in the offence would have been found during the course of investigation in any manner, then the petitioner could have been made an accused in the said case.

It is next submitted that there was an absolutely no occasion for the present informant to institute a separate case for the same occurrence. It is next submitted that in the nature of allegation as alleged in Raniganj P. S. Case No.47 of 2016 and the present F.I.R. is a second F.I.R. relating to the same issue.

The learned A.P.P. opposes the quashing application.

At this stage, the learned counsel for the petitioner seeks permission to withdraw the present quashing application with a liberty to the petitioner to raise all the issues at an appropriate stage.

Permission is accorded.

Accordingly, the instant petition is dismissed as withdrawn with the liberty aforesaid.

(Satyavrat Verma, J)

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