

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1040 of 2021

Arising Out of PS. Case No.-27 Year-2016 Thana- BARUN District- Aurangabad

1. PRAMOD KUMAR SINGH SON OF LATE RAM REKHA SINGH
MANAGING DIRECTOR M/S SWASTIKA SMOKELESS COKE
COMPANY PRIVATE LIMITED, R/O VILLAGE- TELDIHA, P.S.-
MADANPUR, DIST.- AURANGABAD, AT PRESENT RESIDING AT
NEW ROAD FUSRO, P.S.- BERMO, DIST.- BOKARO
2. RAJNI KANT VERMA SON OF LATE YAMUNA PRASAD R/O
VILLAGE- JAIPUR, P.O.- BISHUNPURA, VIA- CHERKI, P.S.- AMAS,
DIST.- GAYA
3. PARSHURAM KUMAR SINHA SON OF LATE KAMESHWAR PRASAD
R/O VILLAGE- MASTUL BARUN, P.S.- BARUN, DIST.-
AURANGABAD
4. SARYU PRASAD SINGH SON OF LATE RAMA NAND SINGH R/O
VILLAGE- POKHARHA, P.S.- BARUN, DIST.- AURANGABAD
5. MOTI LAL PAL @ MOTI PAL SON OF LATE BHURA PAL R/O
VILLAGE- TENDUA, P.S.- BARUN, DIST.- AURANGABAD

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH PRINCIPAL SECRETARY, HOME
DEPTT., GOVT. OF BIHAR PATNA
2. THE DISTRICT MAGISTRATE, AURANGABAD BIHAR
3. THE SUPERINTENDENT OF POLICE, AURANGABAD BIHAR
4. THE SUB-DIVISIONAL OFFICER, AURANGABAD BIHAR
5. THE STATION HOUSE OFFICER, BARUN DIST.- AURANGABAD
6. THE CIRCLE OFFICER, BARUN DIST.- AURANGABAD

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Prasad Singh, Advocate
For the Respondent/s	:	Mr. Md. Asif Ali Niazi, AC to GP 5

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 31-01-2022 Heard learned counsel for the petitioner and learned
counsel for the State through video conferencing.

The instant application has been filed for quashing the
first information report bearing Barun P.S. Case no. 27 of 2016



registered on 15.2.2016 under sections 406, 467, 468, 471, 120B and 161 of the Indian Penal Code.

A supplementary counter affidavit on behalf of the Superintendent of Police, Aurangabad has been filed, enclosing with the same chargesheet no. 128/2021 dated 31.5.2021. The chargesheet was filed in the court below on 15.1.2022.

It is submitted by learned counsel for the petitioner that the chargesheet has been filed in a hurried manner in view of the pendency of the instant application and as per the instruction received cognizance has not been taken in the case.

In view of the facts and circumstances, learned counsel for the petitioner seeks permission to withdraw this application with liberty to challenge the order taking cognizance, which may be passed by the learned court below, in accordance with law.

The application is disposed of with the aforesaid liberty.

(Partha Sarthy, J)

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