

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.96 of 2022

Arising Out of PS. Case No.-491 Year-2021 Thana- KANTI District- Muzaffarpur

Sunil Kumar Son of Bhagyanarayan Sah Resident of Village - Tengrari, P.s.-
Siwaipatti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home,
Govt. of Bihar, Patna. Bihar
2. The Director General of Police, Bihar, Patna. Bihar
3. The S.S.P. Muzaffarpur. Bihar
4. The S.P. (West), Muzaffarpur. Bihar
5. The Dy. S.P. (West) Muzaffarpur. Bihar
6. The S.H.O. Kanti, P.S. Bihar
7. The Investigating officer, P.s.- Kanti. Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Adv.
For the Respondent/s : Mr. Sheo Shankar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

This Cr. Writ Petition has been filed for quashing of
the F.I.R. Kanti P. S. Case No. 491/2021 dated 29.07.2021
lodged under Sections 272, 273, 120B of the I.P.C. read with
Section 30(a) of the Bihar Prohibition and Excise Act.

Counsel for the petitioner submits that his name has
come in this case by virtue of confessional statement of co-
accused. Counsel submits that on the said date, he was not

present on the place of occurrence rather he was at a far distance away and he is in way of Darshan Yatra of Mata Vaishno Devi. He has annexed those documents which is Annexure-3 series to this writ petition.

Learned counsel for the State submits that the petitioner may be directed to represent himself before Senior Superintendent of Police, Muzaffarpur (Respondent No.3) in the light of order passed in **Surendra Singh Vs. State of Bihar & Ors**, in Cr. WJC No.153 of 2017 with analogous cases decided on 09.09.2022.

In this view of the matter, the present writ application is disposed of with liberty to the petitioner that he shall represent before the Senior Superintendent of Police, Muzaffarpur within 4 weeks' who shall pass appropriate order and take action in the light of order passed by the Hon'ble Court in the above said judgment.

With this direction, this Cr. Writ Application is hereby disposed of.

(Dr. Anshuman, J.)

prakashmani/-

U		T	
---	--	---	--