

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.134 of 2020

Arising Out of PS. Case No.-20 Year-2013 Thana- NATWAR District- Rohtas

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Anil Kumar Son of Mahendra Prasad Sh Proprietor of M/S Ganesh Galla
Bhandar Lassees Laxshman Jee Rice Mill, Natwar Resident of Village -
Natwar, P.S.- Natwar, Distt - Rohtas (Sasaram)

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Home Deptt. Govt. of Bihar.
2. The District Manager, Bihar State Food and Civil Supplies Corporation, Rohtas at Sasaram, Distt – Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh, Adv.
For the State	:	Mr. Deepak Kumar, AC to GP-4.
For the BSFC	:	Mr. Shailendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 25-04-2023 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the BSFC.

The present Cr. Writ Petition has been filed for
quashing of Natwar P.S. Case No. 20 of 2013 dated 21.02.2023
lodged under Section 406, 420, 467, 468, 120(B) of the Indian
Penal Code.

Learned counsel for the petitioner submits that
petitioner is named accused in the F.I.R., but even after lapse of
10 years, no material has come against him. He further submits
that at the time of hearing of bail application of petitioner, the
BSFC has categorically submits that there is no involvement of



petitioner in this case and on the basis of the averments made by the counsel for BSFC, petitioner was granted bail. He further submits that there is allegation that petitioner had received 15,000 quintal of paddy whereas there is no such proof to the prosecution that really such paddy has been received by the petitioner, except the bare statement. He also submits that this is the base ground, on the basis of which petitioner is showing his innocence.

Learned counsel for the BSFC and State submits that these are the disputed questions, for which, minute scrutiny is required.

This Court is of the view that the petitioner shall file his representation before the Superintendent of Police, Rohtas in the light of order passed in the case of ***Surendra Singh Vs. State of Bihar and others*** on 09.09.2022 passed in ***Cr.W.J.C. No. 153 of 2017*** with analogous cases within four weeks from the date of passing of this order.

The Superintendent of Police, Rohtas either himself or upon constituting a committee of Dy. Superintendent of Police under his supervision shall ascertain about the involvement of petitioner in commission of the crime and file report under Section 173 (2) of Cr.P.C. within three months from the date of



filing of said representation by the petitioner.

With the aforesaid direction, the present Cr. Writ
Petition is hereby disposed off.

(Dr. Anshuman, J.)

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