

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1375 of 2017

Arising Out of PS. Case No.-77 Year-2017 Thana- SAKURABAD District- Jehanabad

Suryadeo Singh S/o Sri Chandeshwar Singh, Resident of Village- Barhauna,
P.S.- Sakurabad, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary, Cooperative Department.
2. The District Magistrate and Collector, Jehanabad, District- Jehanabad.
3. The Superintendent of Police, Jehanabad, District- Jehanabad.
4. The District Co-operative Officer, Jehanabad, District- Jehanabad.
5. The CEO Bihar State Khad Udog Industries Board, Mahesh Bhavan, Gandhi
Maidan, Patna- 800004.
6. Anjani Kumari, S/o Late Gopal Krishna Gokhale, R/o East Boring Canal
Ramsuchit Mishra Path, P.S.- Budha Colony A/p- Parkhand Sahkarita Parsar
Padadhikari, Ratani Faridpur, P.S.- Sakurabad, District- Jehanabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar Sinha

For the Respondent/s : Mr. Syed Eqbal Ahmad Sc-20

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-02-2023 Heard the parties.

This is an application for quashing of the F.I.R.
bearing Sakurabad P.S. Case No. 77/2017 u/s 406, 409, 420,
120b of the Indian Penal Code.

As per the prosecution case is that the petitioner who
is Chairman of the PACS of Sisamba and Bayapur Mandal Ratni
Faridpur, District- Jehanabad has not deposited 2608.23 quital



rice in the godown. It is further alleged that the Godown was found to be closed on 01.07.2017. That the F.I.R. has been lodged by Prakhand Sahkarita Prasar Padadhikari of Bayapur Mandal Ratni Faridpur, District- Jehanabad. That the petitioner has deposited rice in the Godown on 04.07.2017 weighing 250 quintal & then again 180 quintal on 8.7.2017 which is evident from the chart with respect to the rice deposited in the godown. That it is remarkable that the petitioner on 10.7.2017 went to the godown with a truck loaded with rice but the informant did not allow the petitioner to deposit the rice in the Godown & hence no offence is made out against the petitioner.

In view of the law laid down by the Supreme Court in the case of **M/s Neeharika Infrastructure Pvt. Ltd. V. State of Maharashtra and others AIR 2021, Supreme Court 1918** No ground is made for quashing of the F.I.R.

Accordingly, this application is dismissed.

(Sandeep Kumar, J)

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