

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Writ Jurisdiction Case No.624 of 2018**

Arising Out of PS. Case No.-238 Year-2013 Thana- KOTWALI District- Munger

=====

Yogendra Prasad Son of Late Prabhu Prasad, Accountant, Munger Municipal Corporation, P.S.- Kotwali, District- Munger at Present resident of Mohalla- Navtolia, P.S. Kashim Bazar, District- Munger.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary Urban And Housing Development Department Govt. Of
2. The Principal Secretary Urban and Housing Development Department Govt. of Bihar, Patna.
3. The District Magistrate, Munger.
4. The Post Master, Head Post Office, Munger.
5. The Treasury Officer, Munger.
6. Superintendent of Police, Munger.
7. The Present Nagar Ayukta, Nagar Nigam Munger.
8. The S.H.O. Kotwali, Munger.
9. Shyamanand Jha, S/o Late Parmanand Jha, Resident of Village- Jagatpur, P.S.- Supaul, District- Supaul, the then Nagar Ayukta, informant.

... .. Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr.Shambhu Sharan Singh  
For the Respondent/s : Mr.Subhash Prasad Singh Ga-3

=====

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

6      24-07-2023                      Heard the parties.

2. Heard learned counsel for the Munger Municipal Corporation also.

3. This application has been filed on behalf of the petitioner for quashing the FIR bearing Kotwali P.S. Case No. 238 of 2013.



4. The only ground raised by the learned counsel for the petitioner for quashing the FIR is that the amount in question has already been paid by the petitioner to the Department and therefore registration of the aforesaid FIR is illegal and the same may be quashed.

5. In view of the law laid down by the Hon'ble Supreme Court that “refund of money / deposit of money does not absolve a person from the criminal liability”, the aforesaid FIR cannot be quashed at this stage.

6. Accordingly, this application is dismissed.

**(Sandeep Kumar, J)**

Vikas/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

