

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1846 of 2018

Arising Out of PS. Case No.-30 Year-2015 Thana- BEUR District- Patna

Sanjeev Kumar @ Munna S/o Sri Ram Narayan Mahto, R/o New Vigrahpur,
P.S.- Jakkanpur, District- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Director General Of Police Bihar, Patna.
2. The Inspector General of Police, Bihar, Patna.
3. The Deputy Inspector General of Police, Patna.
4. The Senior Superintendent of Police, Patna.
5. The Sub Divisional Police Officer, Secretariat, Patna.
6. The House Station Officer, Beur P.S., Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Respondent/s : Mr.Sheo Shankar Prasad Sc 8

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 09-05-2023 Heard learned counsel for the parties.

The following prayer is made in the writ petition:

This application is filed for directing the respondent authorities to exonerate the name of the petitioner from the case lodged in Beur P.S. Case No. 30/2015 dated 12.02.2015 registered under Sections 395/397 of the Indian Penal Code because the police has intentionally trapped the petitioner from his shop on 20.12.2017 situated at Chandani Chowk Market near the Patna Junction when he was taking breakfast, in confusing the facts that one of the named accused is Munna, S/o late Ram Narayan Singh and unfortunately the nick name of the petitioner is also Munna @ Sanjeev Kumar but his father name



is Sri Ram Narayan Mahto (alive person) of said village and father of accused no. 6 in the F.I.R. late Ram Narayan Singh is no more in the world.

The Station House Officer of concerned Police Station has appeared with the Investigating Officer of the case. He submitted that the investigation of the case has been closed and chargesheet has been submitted. The defence of the petitioner cannot be examined by this Court. This Court cannot come to a finding as to whether the petitioner is innocent or involved in the case. It is for the petitioner to prove his innocence.

This application is disposed of with a direction to the court below to decide the case after examining the defence witnesses also which may be produced by the petitioner during trial.

The personal appearance of the police officials is dispensed with.

(Sandeep Kumar, J)

Ranjeet/-

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