

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27163 of 2023

Arising Out of PS. Case No.-27 Year-2021 Thana- PATEPUR District- Vaishali

Nishikant, son of Ramakant Thakur, resident of village-Anderquilla, P.S.-
Hajipur, District- Vaishali

... .. Petitioner

Versus

1. The State of Bihar
2. Anirush Singh, S/O Ganesh Singh, Resident of village-Eru, Post and P.S.-
Bazirganj, District- Gaya. At present Medical Officer at Patepur Primary
Health Centre, Vaishali.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Anuj Kumar, Advocate
For the Opposite Party : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 18-05-2023 This application has been filed for quashing of the

F.I.R. vide Patepur P.S. Case No.27 of 2021 registered for the

offences under Sections 420, 406, 409, 467, 468, 469 and 379 of

the Indian Penal Code.

Yesterday, the In-charge Medical Officer, Patepur
was present in Court. Since the records of the case were not
available, the case was not heard Yesterday.

As per the F.I.R., allegation against the petitioner,
who is the Block Accountant is that he has withdrawn an
amount of Rs. 86,258/-, Rs.92,862 and Rs.30,000/- on different
dates from the N.H.M. account by making forged signature.

Considered the submissions of the parties and



perused the materials on record.

Learned counsel for the petitioner has drawn the attention of this Court to a letter bearing no. RKS/252/21 dated 30.06.2021 (Annexure-3). The aforesaid letter has been written by the informant, who is the In-charge Medical Officer, Patepur to the Officer-in-Charge of Patepur Police Station, in which it has been stated that there was no forgery and defalcation by the petitioner and the F.I.R. has been lodged due to mistake as the petitioner was ill at that time and the relevant documents during the period of Corona could not be traced out.

In view of the aforesaid letter, the prosecution of the petitioner seems to be an abuse of the process of the Court. Accordingly, the F.I.R. vide Patepur P.S. Case No.27 of 2021 and all other consequential proceedings arising out of the aforesaid F.I.R. are hereby quashed in the interest of justice.

Accordingly, this application is allowed.

(Sandeep Kumar, J)

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