

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.231 of 2022

Arising Out of PS. Case No.-534 Year-2019 Thana- DANAPUR District- Patna

SANJAY KUMAR Son of Late Girish Singh Resident of Mohalla - Bhikhna
Pahari, Police Station - Pirbahore, District - Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH SECRETARY (HOME)
GOVERNMENT OF BIHAR, PATNA Bihar
2. The Director General of Police, Bihar, Patna. Bihar
3. The Senior Superintendent of Police, Patna. Bihar
4. The Additional Superintendent of Police, Danapur, District - Patna. Bihar
5. The Station House officer, Danapur Police Station, District - Patna. Bihar
6. The Investigating officer, Danapur Police Station, District - Patna. Bihar
7. Diwakar Kumar Son of Late Shiv Shankar Prasad Resident of Sewa Kutir,
Mohalla - Keshri Nagar, Police Station - Patliputra, District - Patna.

... .. Respondent/s

with

Criminal Writ Jurisdiction Case No. 291 of 2022

Arising Out of PS. Case No.-34 Year-2021 Thana- DANAPUR District- Patna

1. SANJAY KUMAR Son of Late Girish Singh Resident of Village- Bhikhna
Pahari, P.s.- Pirbahore, Distt.- Patna.
2. Alam @ Alamgir Son of Md. Badruddin Resident of Village- Sultanpur Lal
Kothi, P.s.- Danapur, Distt.- Patna.
3. Ganesh @ Aaditya Raj Son of Sinath Ray Resident of Village- Sultanpur,
Danapur- Khagaul, Road, P.s.- Danapur, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary , (Home), Govt. of Bihar, Patna. Bihar
2. The Director General of Police, Bihar, Patna. Bihar
3. The Senior Superintendent of Police, patna. Bihar
4. The Additional Superintendent of Police, Danapur, Distt. Patna. Bihar
5. The Station House Officer, Danapur P.s, Distt.- Patna. Bihar
6. The Investigating officer, Danapur P.S., Distt. Patna. Bihar
7. Baban Giri Son of late Hulash Giri Permanent Resident of Village- Tabkala,
Bijali Mathiya, P.s.- Palasi, Distt.- Arwal, Presently residing at kali
Bhagwan, Mohalla- Mohanpur, punaichak, P.s.- Shastri Nagar, Distt.- Patna.

... .. Respondent/s



with

Criminal Writ Jurisdiction Case No. 330 of 2022

Arising Out of PS. Case No.-282 Year-2019 Thana- DANAPUR District- Patna

1. SANJAY KUMAR S/o Late Girish Singh R/o Mohalla- Bhikhna Pahari, P.S.- Pirbahore, District- Patna
2. Sanjay Singh @ Sanjya Kumar Singh S/o Late Kamal Singh R/o Mohalla- Durga Ashram Gali, Sheikhpura More, P.S.- Shastri Nagar, District- Patna
3. Binay Kumar @ Binay Kumar Singh S/o Late Kamal Singh R/o Mohalla- Durga Ashram Gali, Sheikhpura More, P.S.- Shastri Nagar, District- Patna
4. Avikash Kumar @ Pappu Kumar Singh S/o Satendra Singh Resident of Kurji Sheweta Hotel, Saraswati Chandra Market, P.S.- Patliputra, District- Patna
5. Alam @ Alamgir S/o Md. Badruddin R/o Mohalla- Sultanpur Lal Kothi, P.S.- Danapur, District- Patna
6. Nishant Kumar S/o Satendra Singh Resident of Kurji Sheweta Hotel, Saraswati Chandra Market, P.S.- Patliputra, District- Patna

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH SECRETARY,(HOME) GOVT. OF BIHAR, PATNA Bihar
2. The Director General of Police, Bihar, Patna Bihar
3. The Senior Superintendent of Police, Patna Bihar
4. The Additional Superintendent of Police, Danapur, District- Patna Bihar
5. The Station House Officer, Danapur Police Station, District- Patna Bihar
6. The Investigating Officer, Danapur Police Station, District- Patna Bihar
7. Gopal Prasad Singh S/o Late Naresh Chandra Singh Resident of Gola Per, Gajadharchak, In front of Andra Bank, P.S.- Danapur, District- Patna

... .. Respondent/s

with

Criminal Writ Jurisdiction Case No. 337 of 2022

Arising Out of PS. Case No.-263 Year-2021 Thana- DANAPUR District- Patna

1. SANJAY KUMAR S/O LATE GIRISH SINGH R/o Mohalla- Bhikhna Pahari, P.S.- Pirbahore, District- Patna
2. Ganesh @ Aaditya Raj S/o Sinath Ray Village- Sultanpur, Danapur-Khagaul Road, P.S.- Danapur, District- Patna
3. Alam @ Alamgir S/o Md. Badruddin R/o Mohalla- Sultanpur, Lal Kothi, P.S.- Danapur, District- Patna
4. Sanjay Singh @ Sanjya Kumar Singh S/o Late Kamal Singh R/o Mohalla- Durga Ashram Gali, Sheikhpura More, P.S.- Shastri Nagar, District- Patna



... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH SECRETARY,(HOME) GOVT. OF BIHAR, PATNA Bihar
2. The Director General of Police, Bihar, Patna Bihar
3. The Senior Superintendent of Police, Patna Bihar
4. The Additional Superintendent of Police, Sanapur, District- Patna Bihar
5. The Station House Officer, Danapur Police Station, District- Patna Bihar
6. The Investigating Officer, Danapur Police Station, District- Patna Bihar
7. Binod Kumar Sinha S/o Late Rajeshwari Prasad R/o Mohalla- Tarkeshwar Path, T.P.S. College Road, Shanti Niketan, Chiraiyatnad, P.S.- Kankarbagh, District- Patna

... .. Respondent/s

Appearance :

(In Criminal Writ Jurisdiction Case No. 231 of 2022)

For the Petitioner/s : Mr. Chakrapani, Advocate
Mr. Sanjay Kumar Singh, Advocate.
For the State : Mr. Deepak Kumar, AC to GP-4
For Respondent No. 7 : Mr. Ravi Prakash, Advocate
Mr. Purushottam Sharma, Advocate.

(In Criminal Writ Jurisdiction Case No. 291 of 2022)

For the Petitioner/s : Mr. Chakrapani, Advocate
Mr. Sanjay Kumar Singh, Advocate
For the Respondent/s : Mr. Sheo Shankar Prasad

(In Criminal Writ Jurisdiction Case No. 330 of 2022)

For the Petitioner/s : Mr. Chakrapani, Advocate
Mr. Sanjay Kumar Singh, Advocate
For the State : Mr. Iqbal Asif Niazi, AC to GP-5
For Respondent No. 7 : Mr. Rahul Kumar Singh, Advocate.
Mr. Pramod Kumar Singh, Advocate.

(In Criminal Writ Jurisdiction Case No. 337 of 2022)

For the Petitioner/s : Mr. Chakrapani, Advocate.
Mr. Sanjay Kumar Singh, Advocate.
For the State : Mr. Iqbal Asif Niazi, AC to GP-5
For the Respondent No.7: Mr. Ajay Kumar Singh, No. 1, Advocate.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 08-09-2023 Heard the parties.

2. The aforesaid four writ applications have been
filed for quashing the First Information Report lodged against
the petitioner by the respective informants for the same set of



lands which was purchased by the father of the petitioner in 1971 from the maternal grandfather of the informant of Cr. WJC No. 330 of 2022, namely, Gopal Prasad Singh.

3. Referring to counter affidavit learned counsel submits that in three FIRs giving rise to Cr. WJC Nos. 231 of 2022, 291 of 2022 and 377 of 2022, after investigation, the Police has submitted final forms exonerating the petitioner from the charges and not recommending him for trial. Accordingly, he seeks permission to withdraw the aforesaid three cases i.e. Cr. WJC Nos. 231 of 2022, 291 of 2022 and 377 of 2022 with liberty to pursue the matter before the concerned Magistrate.

4. In view of the aforesaid submission, permission is granted.

5. Accordingly, Cr. WJC Nos. 231 of 2022, 291 of 2022 and 377 of 2022 is dismissed as withdrawn with liberty aforesaid.

6. So far as Cr. WJC No. 330 of 2022 is concerned, learned counsel for the petitioner submits that due to the land dispute between the informant and the petitioner for which a Title Suit is pending filed by the petitioner bearing Title Suit No.247 of 2021, the present FIR has been lodged having same set of land which is subject matter of the aforesaid three writ



applications. He further submits that the investigation of the present FIR is still pending. As such, a direction may be issued to the Police authority to submit final form within a reasonable period of time.

7. In paragraph-20 of the writ petition the petitioner has stated that verification of the sale deed No. 4799 of 1971 executed in favour of father of petitioner No. 1 by the maternal grandfather of the informant of the present case has been verified by the Investigating Authority from the Registering Authority of Kolkata and after comparing with the record, the Office of the Registrar of Assurances, Kolkata, by its letter No. 15/RAREC dated 22.1.2020 has informed the Investigating Officer that the details of deed attached for verification is matched with the records.

8. In view of the aforesaid fact, I propose to direct the Investigating Officer and/or respondent Police Authority to complete the investigation as early as possible and to file final form/charge sheet within the reasonable time frame if the same has not been filed by them as yet.

9. It is expected that the final form/charge sheet shall be filed preferably within a period of three months from today.

10. With aforesaid observation and direction, this writ



application stands disposed of.

(Anil Kumar Sinha, J)

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