

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21502 of 2015

Arising Out of PS. Case No.-75 Year-2009 Thana- BANGAWON District- Saharsa

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1. Dinesh Kumar Thakur @ Dinesh Thakur @ Kumar Jee Son of Laxmi Narain Thakur
 2. Laxmi Narain Thakur Son of Late Krishna Mohan Thakur Bangaon, P.S. Bangaon, District - Saharsa

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Dina Nath Mishra S/o Late Yadu Mishra resident of village - Bangaon, P.S. Bangaon, District - Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amarnath Jha, Advocate
For the State	:	Mr. Bharat Bhushan, APP
For the O.P. No.2	:	Mr. Chandra Mohan Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

- 3 14-02-2023 Heard learned counsel for the petitioners, the learned APP for the State as also learned counsel for the informant.

The petitioner has come before this Court for quashing of the order dated 01.02.2014 passed by the learned Chief Judicial Magistrate, Saharsa in G.R. No.1977 of 2009 arising out of Bangaon P.S. Case No.75 of 2009.

As per the prosecution story, it has been alleged that the petitioners filed miscellaneous case with the help of local police under section 144 of the Cr.P.C. which was pending in the Court of learned SDO, Saharsa with regard to CSP Khata No. 14040 corresponding R.S.P Khesra No.8300 under R.S.P. Khata



No.516 which the complainant came to be his ancestral land. It is alleged that the petitioner filed some documents including the rent reduction 'Purcha' and photocopy to recent revisional survey after committing fraud/interpolation in those documents.

Further allegation is that on the basis of those forged documents, he got the order in his favour.

The complainant filed Cri. Revision No.187/2008 which was disposed of by the learned District & Sessions Judge, Saharsa on 29.01.2009 setting aside the order of the learned SDO. Later when he came to know about the interpolation in the documents, the present case.

As per the learned counsel for the informant the police took up the investigation and after having found the case to be true, submitted charge sheet against the petitioners for offence under section 420, 467, 468, ,471/34 of the IPC.

Later the cognizance has also been taken by the learned Chief Judicial Magistrate, Saharsa vide an order dated 01.02.2014 in G.R. No.1977 of 2009 arising out of Bangaon P.S. Case No.75 of 2009.

Taking into account the kind of allegation against the petitioners that he interpolated in the official documents to procure favourable order from the court of learned SDO and



when this came to the knowledge the informant chose to lodge the FIR, which after investigation was found to be true, cognizance was taken by the learned court, the petitioners are not entitled for any relief.

As such, the present petition stands dismissed.

(Rajiv Roy, J)

Prakash Narayan /-

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