

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16237 of 2023

Arising Out of PS. Case No.-193 Year-2021 Thana- KUNDWACHAINPUR District- East
Champaran

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RAJ KUMAR SAH Son of Late Harihar Sah Resident of Village - Jatwalia,
P.S.- Kundwa Chainpur, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Shakti Kumar Son of Ram Lakhan Chaudhary Resident of - Purvi Utta, P.O.
and P.S.- Jehanabad, District - Jehanabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anang Mohan Sinha

For the Opposite Party/s : Mr.Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 22-03-2023 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

This is an application filled for quashing of F.I.R. in
connection with P.S. Case No. 193 of 2021, G.R. No. 1164 of
2021 for the offence under Section 504, 506 and 353 of the
Indian Penal Code

The prosecution story in short is that the petitioner in
night gave threat to S.B.O. on official mobile to commit his
murder using filthy language, because due to short circuit of
electricity distributed from Telhara Feeder. When the informant
went to regularize supply of electricity, the petitioner caused
obstruction in due discharge of their official duty due to which



supply of electricity was hampered in nearby areas and department sustained some financial losses also.

From reading of the F.I.R., it appears that prima facie case is made out against the petitioners. Therefore, the F.I.R. cannot be quashed.

Considering the aforesaid facts and also the law laid down by the Hon'ble Supreme Court in the case of *M/S Neeharika Infrastructure Pvt. Ltd, Vs. State of Maharashtra and others reported in (2020) 10 SCC 118*, this application is dismissed.

(Sandeep Kumar, J)

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