

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.577 of 2021

Arising Out of PS. Case No.-83 Year-2021 Thana- BARACHATTI District- Gaya

Sakuntala Devi W/o Madan Das Resident of Village Gajaragadh , P.O. And
P.S. Barachatti, Anchal-Barachatti, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Additional Chief Secretary, Deptt. of Land Reforms and Revenue, Govt. of Bihar, Patna.
4. The Additional Chief Secretary, Deptt. of Home, Govt. of Bihar, Patna.
5. The Director General of Police, Govt. of Bihar, Patna.
6. The District Magistrate-Cum-District Officer, Gaya.
7. The Senior Superintendent of Police, Gaya.
8. The Sub. Divisional Officer, Sherghati, District-Gaya.
9. The Deputy Superintendent of Police, Sherghati, District-Gaya.
10. The Circle Officer, Barachatti, District-Gaya.
11. The S.H.O., Barachatti P.S. District-Gaya.
12. Samta Devi W/o Nawal Kishore Lal, Member of Bihar Legislative Assembly, Session Years 2015 To Year 2020 Under Bharachatti Legislature, Bihar, Patna. R/o Village-Gajaragadh, P.O. and P.S.-Barachatti, Anchal-Barachatti, District-Gaya.
13. Nawal Kishore Lal S/o Banwari Lal R/o Village-Gajaragadh, P.O. and P.S.-Barachatti, Anchal-Barachatti, District-Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Adv.
For the Respondent/s : Mr. Dr. Mankeshwar Tiwari, AC to AAG-3.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 14-03-2023

Heard learned counsel for the petitioner and
learned counsel for the State.

The present Criminal Writ Application has been
filed for quashing the F.I.R. i.e. Barachatti P.S. Case No.83 of

2021 dated 05.02.2021 lodged under Section 147, 149, 447, 148, 504, 506 & 509 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is an old aged lady. The allegation made in the F.I.R. does not contain any specific averments against the petitioner. He further submits that the genesis of dispute is encroachment of land which petitioner has received by virtue of *Bhudan*. He also submits that for the said land, petitioner filed a CWJC which was decided in her favour. Learned counsel further submits that MJC was also filed in this matter and for filing the present F.I.R. with absolutely false allegation, this Court may interfere and protect the petitioner.

Learned counsel for the State submits that investigation has been completed in the said case and charge sheet has been filed against the petitioner and other accused persons.

In the present aspect of the matter, I am not inclined to grant any relief to the petitioner and this Court is not inclined to interfere in the investigation and trial process and, hence, the present Criminal Writ Application is hereby disposed off.

Liberty is hereby granted to the petitioner that she

may move for appropriate remedy in this case at appropriate stage.

(Dr. Anshuman, J.)

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AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	