

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.371 of 2022

Arising Out of PS. Case No.-488 Year-2021 Thana- RUNISAIDPUR District- Sitamarhi

RAKESH KUMAR S/o Ram Ekbal Sah Resident of Village - Tilak Tajpur,
P.S. - Runnisaidpur, District – Sitamarhi ... Petitioner

Versus

1. THE STATE OF BIHAR THROUGH THE DISTRICT MAGISTRATE, SITAMARHI
2. The Superintendent of Police, Sitamarhi, District - Sitamarhi
3. The officer in Charge, Runnisaidpur Police Station, District - Sitamarhi
4. The Investigating officer of Runnisaidpur P.S. Case No. - 488/2021
5. Manoj Kumar Singh S/o Late Ram Babu Singh Resident of Village - Tilak Tajpur, P.S. - Runnisaidpur, District - Sitamarhi
6. Ritu Kumari D/o Manoj Kumar Singh Resident of Village - Tilak Tajpur, P.S. - Runnisaidpur, District – Sitamarhi ... Respondents

Appearance :

For the Petitioner : Mr. Mahendra Thakur, Adv.
For the Respondents : Mr. Iqbal Asif Niazi, AC to GP V

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 26-04-2023 Counsel for the petitioner is directed to remove the defect(s) within two weeks.

Heard counsel for the petitioner and the State.

The petitioner seeks quashing of first information report of Runnisaidpur P.S. Case No. 488 of 2021, dated 06.09.2021, lodged under Section 366/34 of the Indian Penal Code.

Counsel for the petitioner submits that in the first information report petitioner is named as well as in the statement of victim under Section 164 of the Criminal Procedure Code, 1973 also name of the petitioner has been



disclosed about commission of the offence.

Counsel for the petitioner submits that this statement under Section 164 of the Criminal Procedure Code, 1973, has been given by the victim only under pressure of her family members and he seeks indulgence of this Court.

Counsel for the State submits that the petitioner is named in the first information report. In the statement under Sections 161 as well as 164 of the Criminal Procedure Code, 1973 his name has figured.

In this view of the submission, I am not inclined to interfere into the matter.

The present writ petition is **dismissed**.

Liberty is hereby given to the petitioner that he may avail appropriate remedy before appropriate forum and the said forum shall not be prejudiced from the order passed by this Court.

(Dr. Anshuman, J)

Shamshad/-

U		T	
---	--	---	--

