

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.298 of 2020

Arising Out of PS. Case No.-193 Year-2019 Thana- JAYNAGAR District- Madhubani

Kamlesh Kamal Son of Ram Phal Singh @ Ram Narayan Singh, Resident of Village- Yogiya, P.S.- Ladaniya, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Deptt., Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Superintendent of Police, Madhubani.
4. The S.H.O., Jaynagar Police Station, Madhubani.
5. The Investigating Officer, Jaynagar P.S. Case No. 193 of 2019, Jaynagar Police Station, Madhubani.
6. Umashankar Rai Son of Sri Ram Chapit Rai, Resident of Village- Mahma Chanpur, P.S.- Barari, District- Katihar, At present posted as SHO in Jaynagar Police Station, Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Adv.
	:	Mr. Shyam Kishore, Adv.
For the State	:	Mr. Ajay Kumar, AC to GP-4.
For the Res. No.6.	:	Mr. Shashi Ranjan, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-04-2023 Heard learned counsel for the petitioner and learned counsel for the State as well as learned counsel for the respondent No. 6.

The present Cr. Writ Petition has been filed for quashing of F.I.R. bearing Jaynagar P.S. Case No. 193 of 2019 dated 12.04.2019 lodged under Sections 143, 188, 341, 342, 353, 384, 386, 427 of the Indian Penal Code in which the petitioner and two other named person alongwith 20-25 persons were made accused.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further



submits that from the contents of F.I.R. it transpires that Police have tried to involve the petitioner but simultaneously he put emphasis on another application which is attached with the copy of F.I.R. which shows the innocence of petitioner.

Learned counsel for the State submits that investigation has already been completed in this case and charge sheet has been filed in the year 2019 itself.

Learned counsel for the respondent No. 6 submits that signature of informant has been obtained on the plain paper.

Considering the arguments of the parties and going through the documents, it transpires to this Court that there is a disputed question involved in this case, therefore, this Court is not inclined to interfere in this matter particularly when the charge sheet has already been filed but petitioner is at liberty to move for his remedy before appropriate forum at appropriate stage under the established procedure of law which is Code of Criminal Procedure, 1973.

In this view of the matter, the present Cr. Writ Petition stands disposed off.

(Dr. Anshuman, J.)

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