

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9339 of 2021**

Arising Out of PS. Case No.-367 Year-2019 Thana- BARHARA District- Bhojpur

=====

HARDEV PANDEY @ HARADEV PANDEY Son of Late Ram Suresh
Pandey Resident of Village - Piparpati, P.S.- Krishnagarh, District- Bhojpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rejesh Kumar Ram Son of Jagannath Ram Resident of Village - Bigahan,
P.S.- Manjhi, District- Chhapra (Saran), Presently posted as A.S.I. and
Member S.I.T., Naugachhiya

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	: Mr.Ram Ishwar Prasad
For the Opposite Party/s	: Mr.Umanath Mishra

=====

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 12-09-2023 Heard the learned counsel for the petitioner as well as
the learned APP for the State.

2. This application has been filed for quashing the
FIR bearing Barhara (Krishnagarh O.P.) P.S. Case No. 367 of
2019 dated 17.10.2019 for the alleged offence under Sections
419, 420, 467, 468, 120 (B) of the Indian Penal Code and
further to quash the entire proceeding of the case and to
discharge the petitioner in the instant case.

3. This case has been filed against the petitioner as
his arms license issued from Dimapur, Nagaland was found
forged. The Superintendent of Police, Naugachhiya constituted
SIT and in investigation, it was found that in the office of



Nagland, there was no record in respect to license of the petitioner.

4. The learned counsel for the petitioner has submitted that the petitioner has been granted bail by the learned Sessions Judge, Ara and while granting him bail, the learned Sessions Judge has mentioned that the Investigating Officer (at the time of passing of the bail order) had not inquired from the Director of the Institute where the petitioner was deputed as a guard.

5. In my view, merely on the basis of this observation, the FIR lodged by the police cannot be said to be an abuse of process of the court.

6. I do not find merit in the present Criminal Miscellaneous Petition. Accordingly, this Criminal Miscellaneous Petition is dismissed.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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

