

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.414 of 2022

Arising Out of PS. Case No.-268 Year-2021 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Rajesh Kumar Singh S/o Kamaldeo Singh R/o village- Anandgolwa, P.S.-
Mohiuddin Nagar, Distt.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Home, Govt. of Bihar, Patna.
2. The District General of Police, Bihar, Patna.
3. The Inspector General of Police, Mithila Range Darbhanga.
4. The Superintendent of Police Samastipur.
5. The Deputy Superintendent of Police Patory Samastipur.
6. The Inspector of Police, Patory Circle, Samastipur.
7. The Officer Incharge Mohiuddin Nagar Distt.- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Adv.
For the Respondent/s : Mr. Manish Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 03-05-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The present Cr. Writ Petition has been filed for quashing of F.I.R. bearing Mohiuddin Nagar P.S. Case No. 268 of 2021 dated 20.12.2021 lodged under Sections 147, 148, 341, 342, 323, 324, 448, 307, 504, 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the entire F.I.R. is a bundle of lie and filed on the basis of false statement. He further submits that it is a unique case where



injury has caused prior to filing the F.I.R. He also submits that as per injury report, the examination took place at 09.50 p.m. whereas in the F.I.R. the time of lodging the F.I.R. is 22.17 i.e. 10.17 p.m.

Learned counsel for the State submits that counter affidavit has been filed in this case and in the said counter affidavit it has been stated that case has been found true against all the accused persons except one namely Balmohan Singh.

From the contents of F.I.R., it transpires that cognizable offence is made out.

In this view of the matter, this Court is not inclined to grant any relief, therefore, the present Cr. Writ Petition stands dismissed with liberty to the petitioner to take remedy at appropriate stage during trial.

(Dr. Anshuman, J.)

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