

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.871 of 2019

Arising Out of PS. Case No.-211 Year-2018 Thana- EKANGARSARAI District- Nalanda

UMESH PRASAD Son of Late Yamuna Prasad Resident of Village-
Dharambigha, P.S.- Telhara, P.O.- Neema, District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Deptt. Of Home, Patna Bihar
2. The District- Magistrate, Nalanda, Biharsharif. Nalanda, Biharsharif
3. The Superintendent Of Police, Nalanda, Biharsharif. Nalanda, Biharsharif.
4. The Block Development Officer, Ekangarsarai, Nalanda Resident Of Village- Upadhyay Chhapar, P.S.- Mairwa, District- Siwan.
5. The Officer- In-Charge, P.S.- Ekangarsarai, District- Nalanda. P.S.- Ekangarsarai, District- Nalanda.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Respondent/s : Mr.Manish Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 12-05-2023 Counter affidavit has been filed by the State which is
taken on record.

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

Pursuant to the last order dated 28.04.2023, the then,
District Magistrate, Nalanda has appeared before this Court and
filed his affidavit.

The State has submitted that charge-sheet has been
submitted by the police against the petitioner, therefore, the
F.I.R cannot be quashed at this stage.

With the aforesaid observation and direction, this



application is disposed of with liberty to the petitioner to raise all the grounds at the cognizance stage before appropriate Court.

Personal appearance of the then, District Magistrate, Nalanda is dispensed with.

(Sandeep Kumar, J)

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