

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42453 of 2017

Arising Out of PS. Case No.-126 Year-2013 Thana- RAMNAGAR District- West Champaran

Faiyaz Ahmad Ansari @ faiyaz Ansari Son of Manjoor Ansari Resident of
Village-Mathiya, P.S. Ramnagar, District West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Zainuddin Mian Sono f Israfil Mian Resident of Village-Mathiya, P.S.
Ramnagar, District West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarendra Nath Verma

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-11-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The learned counsel for the petitioner submits that
the present quashing application has been filed seeking quashing
of the charge-sheet no.232 of 2013 dated 30.07.2013, which was
submitted in connection with Ram Nagar P. S. Case No.126 of
2013 under Sections 147, 149, 341, 323, 452, 436, 504 and 506
of the I.P.C.

3. The learned counsel for the petitioner submits that
from perusal of the allegation as alleged in the F.I.R., it would
manifest that the dispute was purely civil. It is next submitted
that the informant falsely implicated the petitioner, herein, on
account of dispute relating to land of a graveyard.



4. The learned Additional P. P. Sri Chandra Bhushan Prasad, at this stage, interjects and submits that it appears that petitioner was in hurry to file the quashing application. It is next submitted that from perusal of the pleadings made in the quashing application, it would manifest that cognizance was not taken till filing of the present quashing application in 2017, when the charge-sheet was submitted in the Year 2013 itself. It is next submitted that since police after investigation has found the case to be true against the petitioner and has submitted charge-sheet, but then, it is for the Court either to accept the charge-sheet or differ with the charge-sheet or direct the police for further investigation.

5. The learned Additional P. P. next submits that in the event, if by now the stage of the case has changed, in that event, the entire effort of the Court would go futile.

6. Considering the submission made by the learned Additional P. P., the Court is not inclined to entertain the quashing application.

7. Accordingly, the quashing application is rejected.

(Satyavrat Verma, J)

vikash/-

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

