

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.210 of 2021

Arising Out of PS. Case No.-122 Year-2017 Thana- PUSA District- Samastipur

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1. Awwda Parvin @ Abeda Praveen W/O Md. Taiyab Ali @ Taiyb Ali Resident Of Village-Bogra, P.S.-Burdwan, District-Bardhaman (West Bengal).
 2. Md. Tarik Ajeej @ Tarik Ajeej S/O Md. Taiyab Ali @ Taiyb Ali Resident Of Village-Bogra, P.S.-Burdwan, District-Bardhaman (West Bengal).
 3. Md. Taiyab Ali @ Taiyb Ali S/O Md. Hanif Resident Of Village-Bogra, P.S.-Burdwan, District-Bardhaman (West Bengal).

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Director General Of Police, Bihar at Patna
2. The Senior Superintendent Of Police, Patna.
3. The Superintendent Of Police, Samastipur. Samastipur.
4. The Station House Officer, Pusa, District-Samastipur. Samastipur.
5. Gautam Kumar S/O Late Sita Ram Prasad Resident Of Village-Harpur, P.S.-pusa And District-Samastipur.
6. Monu Kumar S/O Late Tuntun Kapar Resident Of Village-Pataili, P.S.-Ujiarpur, District-Samastipur At Present Residing At Maila Tanki Road No.6, Rajendra Nagar, P.S.-kadamkuan at And District-Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Sinha, Sr. Adv.
	:	Mr. Bhola Kumar, Adv.
	:	Mr. Ravi Shankar, Adv.
For the Respondent/s	:	Mr. Sanjay P., AC to G.P.-4.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 28-03-2023 Learned Sr. Counsel with Mr. Bhola Kumar appeared for the petitioner and learned counsel for the State appeared.

Counsel for the petitioner submits that he has made two prayers in the present Cr. Writ petition. Counsel submits that the first case is relating to Pusa P.S. of the district of Samastipur for the alleged offences under sections 323, 34,

363,364,366,379 and 506 of the I.P.C. pending in the Court of the learned C.J.M., Samastipur vide G.R. 3167 of 2017 and second prayer is relating to Jamuria P.S. Case No. 202 of 2017 dated 19.06.2017 under sections 363, 365 of the I.P.C.

Prior to argument, learned Sr. counsel submits that he is not placing his relief under paragraph-1(B), at present. He seeks permission to argue his case only for seeking relief mentioned in paragraph-1(A), i.e. the first case relating to Pusa P.S. of the district of Samastipur vide G.R. 3167 of 2017.

The present Cr. Writ has been filed for quashing the F.I.R. no. 5133022170122 dated 29.10.2017 instituted in Pusa P.S. of the district of Samastipur for the alleged offences under sections 323, 34, 363,364,366,379 and 506 of the I.P.C. pending in the Court of the learned C.J.M., Samastipur vide G.R. 3167 of 2017 contained in Annexure – 1.

Counsel for the State submits that during pendency of the present Cr. Writ petition, a counter affidavit has been filed and in the said counter affidavit, it has been mentioned in paragraph – 12 that the final report has been filed in the said case i.e. Pusa P.S. of the district of Samastipur vide G.R. 3167 of 2017, Report-03-cum-Final Order vide Memo No. 270/C.B. dated 20.01.2019, wherein, the I.O. was ordered to submit final

form treated this Cr. Case to be false under Sections 323, 363, 366, 379, 506/34 of the I.P.C. and prosecution will submit proposal under Section 182/211 of the I.P.C. against the informant (Respondent no. 5) in this case (Annexure-D).

In the light of the above said decision, the grievances of the petitioner has been resolved and this application is hereby disposed off.

(Dr. Anshuman, J.)

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