

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33965 of 2023

Arising Out of PS. Case No.-131 Year-2022 Thana- SARMERA District- Nalanda

MRINAL MRITUNJAY Son of Late Amitabh Kumar Resident of Village-
Mehus, PS- Mehus, District- Sheikhpura

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Suresh Prasad Singh son of not known At present posted as police sub
Inspector at Sarmera PS. Sarmera District- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 21-08-2023 Heard the parties.

2. This application has been filed on behalf of the petitioner for quashing the order dated 23.11.2022 passed by Judicial Magistrate, First Class, Biharsharif at Nalanda in Sarmera P.S. Case No. 131 of 2022.

3. Shri Amarnath Singh learned counsel for the petitioner submits that in this case the Arms have been planted by the police in connivance with one Jitendra Kumar and the petitioner is innocent and he has clean antecedents.

4. If the petitioner has such a grievance he should have approached the Superintendent of Police, Nalanda by filing an application during investigation.



5. On this, learned counsel for the petitioner submits that the petitioner could not file the said application because of lack of knowledge about the procedures to be adopted by an innocent person.

6. In view of the above, the petitioner is given liberty to file an application before the Superintendent of Police, Nalanda and if such such an application if is filed, the Superintendent of Police, Nalanda will direct further investigation to be conducted by a different I.O. under his supervision so that the petitioner is satisfied of an impartial investigation.

7. With the aforesaid directions, this application is disposed of.

(Sandeep Kumar, J)

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