

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.748 of 2022

Arising Out of PS. Case No.-299 Year-2021 Thana- NAWADA District- Nawada

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1. Ramesh Yadav @ Ramesh Kumar S/O Pavitar Yadav Resident Of Village- Gonawan Tola, Moti Bigha, P.S.- Nagar, District- Nawada.
 2. Upendra Kumar S/O Rameshwar Prasad Resident Of Village- Moti Bigha Jal Mandir Gonama, P.S.- Nagar, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Home Secretary, Govt. of Bihar, Patna.
2. The Director General of police, Bihar, Patna.
3. Superintendent of Police, Nawadah.
4. Deputy Superintendent of Police, Nawadah.
5. Officer in Charge, Nagar Police Station, Nawadah.
6. Damodar Verma S/o Late Lakhan Mahto Resident of Village- Nagar, District- Nawada.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ram Prawesh Kumar, Adv.
	:	Mr. Ashok Kumar, Adv.
For the Respondent/s	:	Mr. M. Nasrul Huda Khan, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner and learned counsel for the State.

Counsel for the petitioner submits that the present Cr. Writ application has been filed for quashing of F.I.R. bearing Nawdah Nagar P.S. Case No. 299 of 2021 under Sections 420, 467, 468, 471, 354, 385, 323, 379, 504 and 506/34 of the I.P.C.

Counsel for the petitioner submits that upon going through the content of F.I.R. it is very clear that this case is

absolutely civil in nature. He has also annexed the copy of the title suit by which the said sale deed was challenged, by the aggrieved person.

Counsel for the State submits that in prayer no.2, the counsel has sought direction to the authority to verify the signature of the informant, from any expert then it shall reveal than signature of the F.I.R. and signature of the sale deed do not tally with each other.

In the facts and circumstances made above, this Court is not inclined to quash the F.I.R. but liberty is hereby granted to the petitioner that he shall represent his case in the light of ***Surendra Singh Vs. State of Bihar & Ors.*** passed in ***Cr. W.J.C. No. 153 of 2017*** with analogous cases.

The petitioner shall represent the entire matter before the Superintendent of Police, Nawadah within four weeks and the Superintendent of Police, Nawadah upon hearing the parties, shall verify the signature from the competent authority and then proceed in this case and submit final report under Section 173(2) of the Code of Criminal Procedure and take appropriate decision in the light of representation made by the above said case i.e. ***Surendra Singh Vs. State of Bihar & Ors.*** passed in ***Cr. W.J.C. No. 153 of 2017*** with analogous

cases, with regard to the reliefs.

With the aforesaid direction, this Cr. Writ petition is
hereby partly allowed and partly dismissed.

(Dr. Anshuman, J.)

Ashishsingh/-

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