

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.249 of 2021

Arising Out of PS. Case No.-146 Year-2018 Thana- KHAJAULI District- Madhubani

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1. KUSH SINGH @ KUSH KUMAR SINGH Son of Jagdeo Singh through his Natural Guardian namely Shrinath Nagmani, Resident of Village-Datur, P.S-Khajauli, District-Madhubani
 2. Bhola Kumar Singh @ Avinash Kumar, aged about 16 years, Gender Male through his Guardian namely Bikram Kumar, son of Late Shaildra Singh
 3. Ghanti Singh @ Rajnish Kumar, aged about 17 years, Gender Male through his Natural Guardian namely Mohan Singh @ Krishna Mohan Singh, son of Randeo Singh
 4. Bhim Singh @ Bhim Kumar Singh, aged about 17 years, Gender Male through his Natural Guardian namely Nawal Singh @ Nawal Kishore Singh, son of Jagdeo Singh

All residents of vilalge Datur, P.S. Khajauli, district Mathubani... Petitioners
Versus

1. THE STATE OF BIHAR THROUGH THE HOME SECRETARY, GOVERNMENT OF BIHAR, PATNA
2. The Home Secretary, Govt. of Bihar, Patna
3. The Director General of Police, Govt. of Bihar, Patna
4. The District Magistrate, Madhubani
5. The Superintendent of Police, District-Madhubani
6. The Deputy Superintendent of Police, Madhubani, District-Madhubani
7. The Station House Officer (SHO), P.S-Khajauli, District-Madhubani

... Respondents

Appearance :

For the Petitioner : Mr.Ravindra Kumar Singh, Adv.
For the Respondents : Mr.Manish Kumar, GP IV

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-03-2023 Heard learned counsel for the petitioners and the State.

The petitioners have filed the present writ petition for quashing the first information report bearing Khajauli P.S. Case No. 146 of 2018 lodged under the provisions of Indian Penal Code, Arms Act and Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act, 2015.

Counsel submits that upon bare reading of first information report it transpires that there is absolutely no allegation against the petitioners, who are four in number.

Counsel for the State submits that there are in total 25 named accused persons in the first information report and all the petitioners are the named accused. Counsel also submits that the offences have been committed in group. He further submits that investigation has been completed and the case has been found true against 15 accused persons and not found true against nine accused persons. He submits that in the said nine persons, names of the present petitioners are not there.

In this view of the matter, I am not inclined to grant any relief to the petitioners.

This petition is hereby **rejected** with liberty to the petitioners to raise their point of innocence before the appropriate forum at appropriate stage.

(Dr. Anshuman, J)

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