

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.838 of 2022

Arising Out of PS. Case No.-42 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Barun Kumar Son of Ram Vilash Singh, Resident of village- Khamhar, P.s.- Muffasil, District- Begusarai
 2. Shambhu Singh @ Shambhu Kumar Singh Son of Ram Vilash Singh, Resident of village- Khamhar, P.s.- Muffasil, District- Begusarai
 3. Manoj singh @ Manoj Kumar Singh Son of Ram Vilash Singh, Resident of village- Khamhar, P.s.- Muffasil, District- Begusarai
 4. Ram Vilash Singh Son of Late Ram Badan, Resident of village- Khamhar, P.s.- Muffasil, District- Begusarai
 5. Chunchun Devi Wife of Ram Vilash Singh, Resident of village- Khamhar, P.s.- Muffasil, District- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Superintendent of Police, Begusarai.
4. Dy. S.P. Begusarai.
5. The Officer In charge, Muffasil Police Station, District- Begusarai.
6. The I.O. in Charge, Muffasil Police Station, District- Begusarai.
7. Sudha Devi Wife of Santosh singh Resident of village- Khamhar, P.S.- Muffasil, District- Begusarai.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Adv.
For the Respondent/s : Mr. Sheo Shankar Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The present Cr. Writ Petition has been filed for
quashing of F.I.R. bearing Begusarai Muffasil P.S. Case No. 42



of 2022 dated 23.01.2022 lodged under Sections 341, 342, 452, 354(B), 323, 504 & 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is completely innocent and he has not committed any offence. He further submits that actually petitioner is the victim and in this regard he has filed an information about the commission of crime with him by the private respondent side. He also submits that the F.I.R. filed by the petitioner is registered as Begusarai Mufassil P.S. Case No. 41 of 2022 and the present case is basically a counter blast case with a view to save the skin.

Learned counsel for the State submits that counter affidavit has been filed and during investigation material has come against the present petitioner.

It transpires to this Court that present case is a result of F.I.R. from both the sides, therefore, this Court is of the view that there are case and counter case from both the sides which requires fair investigation.

In this view of the matter, petitioner is directed to file representation before the Superintendent of Police, Begusarai in the light of order passed in the case of ***Surendra Singh Vs. State of Bihar and others*** on 09.09.2022 in ***Cr. W.J.C. No. 153***



of 2017 with analogous cases within four weeks from the date of passing of this order.

The Superintendent of Police, Begusarai is directed to do the needful at the earliest.

Till filing of final report under Section 173(2) of Cr.P.C. no coercive step shall be taken against the petitioner in connection with Begusarai Muffasil P.S. Case No. 42 of 2022.

With the aforesaid direction, the present Cr. Writ Petition is hereby disposed off.

(Dr. Anshuman, J.)

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