

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.892 of 2019

Arising Out of PS. Case No.-181 Year-2019 Thana- HISUWA District- Nawada

1. ANKIT AGARWAL Son of Shio Hari Agarwal Resident of Mohalla- Ram Nagar, P.S.- Nawada, District- Nawada.
2. Shyam Kumar Agarwal Son of Rajkumar Agarwal Resident of Mohalla- Prasad Bigha, P.S.- Nawada, District- Nawada.
3. Pawan Kumar Khemka Son of Banwari Lal Resident of 403, Purnodaya Apartment, Nageshwar Colony, Boring Road, P.S.- Budha Colony, District- Patna.
4. Vinod Kumar Son of Sri Brijkishore Prasad Resident of Mohalla- Kalali Road, P.S.- Nawada, District- Nawada.
5. Arvind Kumar Gupta Son of Sri Krishnanandan Prasad Resident of Mohalla- Sadbhavna Chowk, P.S.- Nawada, District- Nawada.
6. Jai Prakash Lal Son of Late Ishwar Lal Resident of Mohalla- Purani Jail Road, P.S.- Nawada, District- Nawada.
7. Rajesh Kumar Son of Sri Vasudeo Narayan Bhojpuri Resident of Mohalla- Prasad Bigha, P.S.- Nawada, District- Nawada.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE PRINCIPAL SECRETARY, DEPTT. OF HOME, GOVT. OF BIHAR, PATNA Bihar, Patna.
2. The Senior Superintendent of Police, Nawada. Nawada
3. The Officer-In-Charge, Hisua Police Station, District- Nawada. Nawada
4. The Circle Officer, Hisua, District- Nawada. Nawada

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan
For the Respondent/s : Mr.Sheo Shankar Prasad

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 03-08-2023 Heard the parties.

2. This application has been filed for quashing of the FIR bearing Hisua P.S. Case No. 181 of 2019 registered under Section 420, 467, 468, 471 and under Section 34 of the Indian Penal Code.



3. The petitioners are alleged to have grabbed the Government land.

4. In the counter affidavit, letter dated 31.05.2023 written to the Superintendent of Police, Nawada by the SDPO, Nawada, Sadar is there and in the last paragraph it has come that the petitioners have no claim over the land in question and in case in future any encroachment is found then they will vacate the same.

5. In these circumstances, continuance of the prosecution against the petitioners will be abuse of the process of the Court and therefore, this application is allowed.

6. Accordingly, the FIR bearing Hisua P.S. Case No. 181 of 2019 is hereby quashed in the interest of justice.

(Sandeep Kumar, J)

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