

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No. 852 of 2022

Arising Out of PS. Case No.-70 Year-2022 Thana- CHAPRA TOWN District- Saran

Dr. Gagan Son of Sri Ganesh Prasad Sinha presently posted as Additional Collector- cum- Additional District Magistrate, Saran Chapra, Resident of 101-B, Raghvendra Lok Apartment, Punaichak, P.s. Shashtri Nagar, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home department, Old Secretariat, Patna.
2. The Director General of Police, Old Secretariat, Patna.
3. The officer Incharge, Town P.S., Chapra.
4. Sri Pramod Kumar Singh Son of Mohan Singh Resident of Khalpura, P.S.- Mufassil, District - Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Nilanjan Chatterjee, Adv. Mr. Gouranga Chatterjee, Adv. Mr. Sahil Kumar, Adv. Mr. Anirvan Chaudhiri, Adv.
For the State	:	Mr. M. Nasrul Huda Khan, Adv.
For the respondent no. 4	:	Mr. Tej Pratap Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner, learned counsel for the respondent no. 4 and learned counsel for the State.

Counsel for the petitioner is directed to file hard copy of criminal writ petition before the Registry.

The present criminal writ application has been filed for quashing of the F.I.R. in Town Saran, Chapra P.S. Case No. 70 of 2022 lodged under Sections 167/ 193/ 198/ 200/ 204/ 218/ 219/ 384/ 406/ 420/ 467/ 468/ 471/ 500/ 504/ 506/ 120(b) and 34 of the I.P.C.

Counsel for the petitioner submits that the present case has been filed with core allegation that the accused petitioner who was working as A.D.M.-cum-Additional Collector has passed a quasi judicial order in Jamabandi Cancellation Case No. 06 of 2019-20.

Counsel for the petitioner submits that the act of the petitioner is protected under Section 197 of the Cr.P.C., Section 3 of the Judges (Protection) Act, 1985 as well as under Section 77 of the I.P.C.

It has been informed by the counsel for the respondent no. 4 that final form has already been filed in this case and respondent no. 4 who is complainant/ informant of this case submits that he is agreeable on the same.

In this view of the matter, this Court **disposed off** this criminal writ application with liberty to the petitioner that he shall file his representation before the Chief Judicial Magistrate, Saran at Chapra/ concerned Magistrate, Saran at Chapra who shall pass order on the report of the final form in accordance with law, providing opportunity to the informant, within period of ninety days.

(Dr. Anshuman, J.)

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