

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.934 of 2022

Arising Out of PS. Case No.-39 Year-2020 Thana- MAHILA PS District- East Champaran

Ramesh Kumar Son of Surendra Paswan Resident of Village - Bangari, P.S.-
Pipra Kothi, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Collector of East Champaran at Motihari.
3. The Superintendent of Police East Champaran at Motihari.
4. The Officer-in-Charge Mahila Police Station, East Champaran at Motihari.
5. Sima Kumari Daughter of Babu Lal Paswan R/o village - Bangari,P.O. and
P.S.- Pipra Kothi, District - East Champaran at Motihari. Parmanent Adress
R/o village - Dhekha Karmkueeya (Ward No.- 09), P.S.- Muffassil, Motihari,
District - East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar No.1, Adv.

For the Respondent/s : Mr. Prabhat Kumar Verma, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

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

The present Cr. Writ Petition has been filed for
quashing of F.I.R. bearing Motihari Mahila P.S. Case No. 39 of
2020 dated 30.08.2020 lodged under Section 493, 376, 504, 34
of the Indian Penal Code read with Section 4/6 of the POCSO
Act.

Learned counsel for the petitioner submits that the
present case is false case and filed with a view to harass the
petitioner. He further submits that there is another complaint
case filed by the relative of the petitioner in which the present



informant (respondent No. 5) has been made accused which is annexed in the writ petition. Counsel further submits that with a view to put pressure upon the petitioner the present case been lodged. Counsel also submits that there is third case filed by one Lakhendra Paswan bearing Complaint Case No. 900 of 2020 and in the said case also the present informant has been made accused.

Learned counsel for the State seeks time to file reply.

Upon going through the contents of the F.I.R., it transpires to this Court that offence is made out against the petitioner, therefore, this Court is not inclined to interfere in this matter. So far as the rest complaint cases are concerned, those criminal cases shall take its own course.

Accordingly, the present Cr. Writ Petition stands dismissed with liberty that petitioner may raise his grievance 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.

(Dr. Anshuman, J.)

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