

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.959 of 2022

Arising Out of PS. Case No.-774 Year-2020 Thana- ARA NAWADA District- Bhojpur

DEEPAK KUMAR MISHRA Son of Om Prakash Mishra Resident of village-
Malichor, P.S- Pitami Bazar, Dist- Deoria (u.p) at present residing at house
No. 6 KH no. 572, Takroli, Vimal Nagar Kamta, Lucknow, PS- Chinhaat, Dist-
Lucknow (UP) ... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Home Affairs, Govt. of Bihar, Patna
2. The Superintendent of Police, Bhojpur, Dist- Bhojpur
3. The Station House Officer, Police Station- Ara Nawada, Dist-Bhojpur
4. Sanjay Kumar Son of Shivnandan Prasad Chaurasia Resident of Mohalla- Ara Nawada, P.S- Ara Nawada, Dist- Bhojpur ... Respondents

Appearance :

For the Petitioner : Mr. Ashok Kumar Garg, Adv.
For the Respondents : Mr. Md. Nasrul Hoda Khan, SC I

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and the State.

Counsel for the petitioner is directed to remove the defect(s) within two weeks.

Counsel for the petitioner has filed the present application for quashing of first information report bearing Ara Nawada P.S. Case No. 774 of 2020, dated 05.10.2020, lodged under Sections 406, 420 and 34 of the Indian Penal Code.

Counsel submits that in the first information report there is one line allegation against the petitioner, i.e., the informant has received information through newspaper that Ramgarh police has arrested the petitioner. Counsel for the petitioner fairly submits that name has come in the newspaper,



on that basis no offence is made out, but, definitely it requires the fair investigation and the petitioner is inclined to support the investigation in every manner. He submits before this Court that the petitioner shall support investigation whenever the investigating officer of case wants his presence. Counsel submits that the petitioner is also a victim of the said gang, who used to collect money in the name of providing service. He submits that being the victim of the said gang the petitioner also filed series of cases against the wrong doers, which is Annexure 2 series. Counsel submits that the first information report against the petitioner may not be quashed, but, some protection may be given to him during the investigation.

Counsel for the State submits that the anticipatory bail of the petitioner has been rejected and he has been directed by this Court to surrender before the Court below.

In this background, the petitioner is directed to represent before the Superintendent of Police, Bhojpur at Ara, through his counsel in the light of the order passed by the coordinate Bench in Cr.W.J.C. No. 153 of 2017 (Surendra Singh Vrs. State of Bihar & Ors.) and analogous cases decided on 09.09.2022 within four weeks from today and the Superintendent of Police is directed to do the needful in



accordance the directions given in the above mentioned case
and submit his report under Section 173(2) of the Criminal
Procedure Code, 1973.

With this observation, this criminal writ petition is
disposed off.

(Dr. Anshuman, J)

Shamshad/-

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