

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1068 of 2021

Arising Out of PS. Case No.-389 Year-2021 Thana- BANKA District- Banka

Dr. Sulochana Kumari Singh @ Sulochana Kumari Singh @ Sulochana Kumari Kuber Prasad Sing Wife Of Niranjan Prasad Singh, D/O - Kuber Prasad Singh R/O Village And Post- Khabaspur, P.S.- Pirpainti, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary Deptt. Of Home Affairs, Govt. Of Bihar, Patna Bihar
2. Director General Of Police, Govt. Of Bihar, Patna Bihar
3. The District Magistrate Cum Collector, Banka Bihar
4. The Superintendent Of Police, Banka Bihar
5. The officer In Charge, Banka, Police Station, District- Banka Bihar
6. Vijay Paswan Son Of Late Chhedi Paswan R/O Village- Faridpur, P.S.- Amarpur, District- Banka

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The present Cr. Writ Application has been filed for quashing the F.I.R. bearing Banka P.S. Case No.389 of 2021 lodged under Sections 304, 420, 201 and 34 of the I.P.C. read with Section 16 of Bihar Clinical Establishments (Control and Registration) Act, 2007.

Counsel for the petitioner submits that from the contents of F.I.R., it does not whisper that the petitioner has

committed any offence. As such, the said F.I.R. has to be quashed against the present petitioner.

Counsel for the State submits that from the contents of the F.I.R., it transpires that the petitioner is the person who has operated the informant's daughter and thereafter within 24 hours, her situation started deteriorating and some strange person came and removed the name plate of the doctor and name of the hospital from the place where this alleged occurrence took place. This creates doubt about involvement of the petitioner in this matter.

This court is of the view that this case requires investigation and therefore, this court is not inclined to quash the F.I.R.

Petitioner shall be at liberty to raise all the points which she has raised in the trial at appropriate stage before appropriate forum.

With this observation, this Cr. Writ Application is hereby disposed of.

(Dr. Anshuman, J.)

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