

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50039 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- BADHAILA District- Rohtas

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1. JALIM CHAUDHARY SON OF LATE MOTILAL CHAUDHARY
RESIDENT OF VILLAGE- MATHURAPUR, PO- SIYAVAK, PS-
BAGHAIL, DISTT- ROHTAS PRESENT ADDRESS- MIRJAPUR, WARD
N. 41, PS- SASARAM, DISTT- ROHTAS
 2. MANISH KUMAR @ GOLU @ MANISH PATEL SON OF JALIM
CHAUDHARY RESIDENT OF VILLAGE- MATHURAPUR, PO-
SIYAVAK, PS- BAGHAIL, DISTT- ROHTAS PRESENT ADDRESS-
MIRJAPUR, WARD N. 41, PS- SASARAM, DISTT- ROHTAS
 3. SANY KUMAR @ SANI KUMAR PATEL SON OF JALIM
CHAUDHARY RESIDENT OF VILLAGE- MATHURAPUR, PO-
SIYAVAK, PS- BAGHAIL, DISTT- ROHTAS PRESENT ADDRESS-
MIRJAPUR, WARD N. 41, PS- SASARAM, DISTT- ROHTAS

... .. Petitioner/s

Versus

1. The State of Bihar
2. PRADHUMAN CHAUDHARY SON OF KRISHANA CHAUDHARY
RESIDENT OF VILLAGE- MATHURAPUR, PO- SIYAVAK, PS-
BAGHAIL, DISTT- ROHTAS

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh No.10, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 12-12-2023 1. Heard learned counsel for the petitioners and

learned APP for the State.
2. Learned counsel for the petitioners seeks

quashing of the FIR which has been instituted under various

Sections of the Indian Penal Code including the Arms Act.
3. Learned counsel for the petitioners submits that

petitioners have been falsely implicated in the present case.



It is next submitted that the O.P. No. 02 is related to the petitioners and on account of dispute relating to land the present false case has been instituted. It is further submitted that petitioner No. 01 is own uncle of the O.P. No. 02. It is also submitted that from the side of the petitioners an FIR has been instituted earlier in time and the present FIR has been instituted by the O.P. No. 02 by way of a counterblast.

4. Mr. Chandra Bhushan Prasad, learned APP for the State opposes the quashing application and submits that if what has been submitted by the learned counsel for the petitioners is true, then there is no reason why the police would not investigate the case fairly and come to a considered conclusion. Learned APP further submits that since the present quashing application has been filed seeking quashing of an FIR, as such, the Court should be reluctant in interfering at this stage to nip the investigation in the bud itself. But then, learned APP for the State assures the Court that Police will investigate this case fairly.

5. Considering the submission made by the learned APP for the State, the Court is not inclined to entertain the quashing application.



6. Accordingly, the present quashing application stands rejected.

(Satyavrat Verma, J)

Adnan/-

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