

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1017 of 2022

Arising Out of PS. Case No.-176 Year-2020 Thana- NATHNAGAR District- Bhagalpur

Niraj Kumar Yadav S/O Late Satya Narayan Yadav R/O Village - Maskan
Barari, P.S.- Nathnagar, District - Bhagalpur.

... .. Petitioner/S

Versus

1. The State of Bihar Through Collector (District Magistrate), Bhagalpur.
2. The Superintendent of Police (S.P.), Bhagalpur.
3. The thana In-Charge, Nathnagar, Bhagalpur.
4. Trilok Kumar Sharma @ Tippu Sharma Son Of Ghanshyam Sharma
Resident of Village/Mohalla - M.T.N. Gosh Road, Champanagar, P.S.-
Nathnagar, District - Bhagalpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Sandeep Patil, Adv.

For the Respondent/s : Mr. Sheo Shankar Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-05-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has filed this Cr. Writ application for
quashing the F.I.R. bearing Nathnagar, Police Case No. 176 of
2020 dated 16.03.2020, under Sections 341, 323, 325, 379, 504,
506, 34 of Indian Penal Code.

Counsel for the petitioner submits that the petitioner
and informant were initially friends and criminal breach of
trust has been made by the informant against the petitioner.
Counsel submits that he has a series of documents, by which it
transpires that petitioner is innocent and wrong has been done
by the informant himself.

Counsel for the State submits that liberty may be

given to the petitioner that he may move before the Superintendent of Police, Bhagalpur, with all his supporting documents.

In the above facts and circumstances, this Court is not inclined to quash the F.I.R. but liberty is hereby granted to petitioner to move before the Superintendent of Police, Bhagalpur, in the light of ***Surendra Singh Vs. State of Bihar & Ors.*** vide order dated 09.09.2022 ***passed in Cr. W.J.C. No. 153 of 2017*** with analogous cases.

The petitioner shall represent the entire matter before the Superintendent of Police, Bhagalpur within four weeks and the Superintendent of Police, Bhagalpur upon hearing the parties, shall take appropriate decision in the light of representation made by the above said case i.e. ***Surendra Singh Vs. State of Bihar & Ors.*** passed in ***Cr. W.J.C. No. 153 of 2017*** with analogous cases, with regard to the reliefs.

With the aforesaid direction, this Cr. Writ petition is hereby disposed off.

(Dr. Anshuman, J.)

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