

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1138 of 2022

Arising Out of PS. Case No.-685 Year-2019 Thana- SHASTRINAGAR District- Patna

1. FARDIN KHAN @ SHAHZAD SON OF LATE SARFUDDIN KHAN @ SAFO KHAN R/O RAJA BAZAR, SAMANPURA, PURANI MASJID, P.S.- SHASTRI NAGAR, DIST.- PATNA
2. SARFERAZ ALAM @ SHILU SON OF ABDUL WAHAB KHAN R/O RAJA BAZAR, SAMANPURA, P.S.- SHASTRI NAGAR, DIST.- PATNA

... Petitioners

Versus

1. THE STATE OF BIHAR THROUGH THE HOME SECRETARY, GOVERNMENT OF BIHAR PATNA
2. THE SENIOR SUPERINTENDENT OF POLICE, PATNA
3. THE OFFICER IN CHARGE, SHASTRI NAGAR P.S., PATNA
4. I.O. OF THE SHASTRI NAGAR P.S. CASE NO. 685/2019

... Respondents

Appearance :

For the Petitioner : Mr. Anuj Kumar, Adv.
For the Respondents : Mr. Seo Shankar Prasad, SC VIII

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-05-2023 Counsel for the petitioner is directed to remove the defect(s) within two weeks.

Heard learned counsel for the petitioner and the State.

The petitioner has filed the writ petition for quashing of first information report bearing Shastri Nagar P.S. Case No. 685 of 2019, dated 14.08.2019, lodged under Sections 341, 323, 354(B), 379, 504, 506 and 34 of the Indian Penal Code.

Counsel for the petitioner submits that the first information report has been lodged intentionally and with a view to take the undue advantage so that the dispute relating to



taking the compassionate appointment may not be availed by them. Counsel submits that since first information report itself is malafide, therefore, it should be quashed.

Counsel for the State submits that there is specific allegation against the petitioner made by the informant and, therefore, it requires investigation.

After going through the contents of the first information report, it transpires that cognizable offence is made out and, therefore, this Court is not inclined to quash the first information report.

With the aforesaid observation, this writ petition is **dismissed**.

(Dr. Anshuman, J)

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