

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1135 of 2022

Arising Out of PS. Case No.-128 Year-2022 Thana- MANPUR District- Nalanda

SUBODH KUMAR @ SUBODH YADAV S/O SURESH YADAV Resident
of village- Bhaurabartar, P.S.- Manpur, District- Nalanda ... Petitioner
Versus

1. THE STATE OF BIHAR, THROUGH THE HOME SECRETARY,
GOVERNMENT OF BIHAR, PATNA
2. THE INSPECTOR GENERAL OF POLICE, CENTRAL ZONE, BIHAR,
PATNA
3. THE SUPERINTENDENT OF POLICE, NALANDA (BIHAR)
4. THE DEPUTY SUPERINTENDENT OF POLICE, NALANDA (BIHAR)
5. THE STATION HOUSE OFFICER CUM OFFICER IN CHARGE,
MANPUR POLICE STATION, NALANDA (BIHAR) ... Respondents

Appearance :

For the Petitioner : M/s Abhishek Anand & Madhavi Kumari, Advs.
For the Respondents : Mr.Sanjay Prasad, AC to GP IV

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 present petition has been filed by the petitioner for
quashing of the first information report bearing Manpur Thana P.S.
Case No. 128 of 2022, dated 01.06.2022, as well as the entire criminal
proceeding culminating out of the said case lodged under Sections 147,
148, 149, 115 and 302 of the Indian Penal Code.

Counsel for the petitioner submits that from the entire
statement of the fardebeyan there is absolutely nothing alleged against
the petitioner. He submits that in the close circuit television camera
footage petitioner was shown standing there and this is a sufficient
ground of quashing.

Counsel for the State submits that after investigation charge
sheet has been submitted in this case against the petitioner also,



therefore, the petitioner has no remedy but to contest the trial.

The Court, upon going through the argument, documents and documents of the parties acknowledge that the present petitioner has filed this writ petition seeking two reliefs, quashing of the first information report and quashing of entire criminal proceedings. From the record, it transpires that not a single chit relating to proceeding of case is on record of this writ petition on the basis of the first information report is under challenge, therefore, no question of entertaining relief relating to quashing of proceeding is maintainable.

So far as the quashing of first information report is concerned, the allegation made in the first information report about which Court is of the view that it is sufficient to proceed. As per the version of the State charge sheet has already been submitted in this case.

Hence, in this view of the matter, this writ petition is **dismissed.**

(Dr. Anshuman, J)

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