

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.1144 of 2022

Arising Out of PS. Case No.-419 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

KAVITA KUMARI @ KABITA KUMARI D/o Kanhaiya Lal Singh @
Kanhaiya Singh R/o- Lohri, P.S.- Muffasil, Distt.- Saran at Chhapra, Presently
Residing with newly married Husband namley- Mukesh Kumar, R/o Village-
Kothiya, P.S.- Awtarnagar, Distt.- Saran at Chhapra ... Petitioner
Versus

1. The State of Bihar Through the Home Secretary, Govt. of Bihar Bihar
2. The Director General of Police, Govt. of Bihar, Patna
3. The D.I.G. of Police, Saran Region, Saran at Chhapra
4. The Superintendent of Police, Saran
5. The S.D.P.O., Saran Sadar, Saran
6. The Officer-in-charge, P.S.- saran Muffasil cum I.O. of Saran Muffasil P.S.
Case No. 419/2022, Distt.- Saran
7. Kanhaiya Lal Singh @ Kanhaiya Singh S/o not known R/o- Lohadi, P.S.-
Muffasil, Distt.- Saran at Chhapra ... Respondents

Appearance :

For the Petitioner : Mr.Shubhesh Pandey, Adv.
For the Respondents : Mr.Saroj Kumar Sharma, AC to AAG III

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.

Counsel for the petitioner has filed the present writ
petition for quashing of the first information report bearing
Saran Muffasil P.S. Case No. 419 of 2022, dated 08.06.2022,
lodged under Section 366(A) of the Indian Penal Code.

Counsel for the petitioner submits that the petitioner is
neither accused nor informant in this case rather she is alleged
victim of the case as the first information report has been filed
by her father for kidnapping of the petitioner and the petitioner
has come before this Court in favour of accused person that first
information report should be quashed.



This Court is of the view that petitioner should have to exhaust the appropriate remedy under law and not before this Court demanding quashing of the first information report in which the aggrieved is not here rather a person who is not aggrieved, but, seeking welfare of the aggrieved has filed this application in the life of the aggrieved.

Liberty is hereby granted to the petitioner to seek appropriate remedy before appropriate forum including filing of representation before the Superintendent of Police, Saran at Chapra (respondent no. 4) in the light of the order passed by the coordinate Bench in Cr.W.J.C. No. 153 of 2017 (Surendra Singh Vrs. State of Bihar & Ors.) and analogous cases decided on 09.09.2022 within four weeks from today and the Superintendent of Police is directed to do the needful in accordance with the directions given in the above mentioned case.

With this direction, this writ petition is **dismissed**.

(Dr. Anshuman, J)

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