

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.446 of 2021

Arising Out of PS. Case No.-72 Year-2003 Thana- KUMAR KHAND District- Madhepura

AJAY KUMAR SINGH @ AJOY KUMAR SINGH Son of Dinesh Prasad Singh Resident of Village- Masarhi, P.S.- Gaurichak, District- Patna (Bihar).
Then Block Development Officer, Kumar Khand, P.S.- Kumar Khand, District- Madhepura (Bihar) ... Petitioner

Versus

1. The State of Bihar through its Principal Secretary Govt. of Bihar, Patna
2. The Commissioner, Koshi Division, Koshi
3. The District Magistrate, Madhepura, (Bihar)
4. The Superintendent of Police Madhepura, Bihar
5. The Block Development Officer, Kumar Khand, Madhepura
6. The Deputy Superintendent of Police, Madhepura (Bihar)
7. The S.H.O. Kumar Khand, District- Madhepura (Bihar) ... Respondents

Appearance :

For the Petitioner : M/s Vikramdeo Singh & Birendra Kumar Singh, Advs.
For the Respondents : Mr. Md. Nasrul Hoda Kha, SC I

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 11-04-2023 Counsel for the petitioner is directed to remove the defect(s) within two weeks.

Counsel for the petitioner and the State are present.

The present writ petition is filed for quashing of the first information report bearing Kumar Khand P.S. Case No. 72 of 2003 instituted under Sections 409, 406, 420, 120B, 218, 219, 119 and 34 of the Indian Penal Code.

Counsel for the petitioner submits that vide Annexure 3 the petitioner has deposited Rs.2,01,387/- towards Rozgar Yojna No. 2/1998-99. Counsel submits that it is a case of 2003 in which allegation has been made in the first information report that specific payments have been made during the tenure of



different officials and on this ground alone the case has been filed. Counsel submits that the said excessive amount has already been deposited and in this view of the matter this case may not continue for years and years and it needs interference of this Court.

This Court feels that it is a serious issue which has to be looked into by a high official within a fixed time span.

It is directed that the petitioner shall represent before the high official, here in this case Superintendent of Police, Madhepura (respondent no. 4), who shall take decision 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 the date of communication of this order and close this matter in accordance with law.

With this direction, this criminal writ petition is **disposed off.**

(Dr. Anshuman, J)

Shamshad/-

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