

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1178 of 2022

Arising Out of PS. Case No.-55 Year-2022 Thana- SIKTA District- West Champaran

=====

Saheb Mahto Son of Chandrika Mahto Resident of village - Awaraiya, P.S.-
Bettiah (Muffasil), District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Superintendent of Police, West Champaran.
3. The Block Sadhan Sevi, P.M. Poshan Scheme Sikta, West Champaran,
Bettiah.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Shashi Bhushan Kumar, Adv.
For the Respondent/s	:	Mr. Manish Kumar, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-05-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The present criminal writ application has been filed
for quashing of the F.I.R. bearing Sikta P.S. Case No. 55 of 2022
lodged under Section 7 of the E.C. Act.

Counsel for the petitioner submits that the petitioner is
doing the work for the Government for last 23 years and his
integrity has been put in question for his no fault. He is showing
and annexing the documents relating to his innocence.

Counsel for the petitioner admits that it is true that
charge-sheet has been filed in this case. Even then, he submits
that petitioner is at no fault. He is ready to explain by the said

documents that petitioner is innocent.

Counsel for the State submits that charge-sheet has already been filed in this case.

This Court is of the view that petitioner is working for the Government since last 23 years and there were absolutely no allegations made against him and, therefore, this Court is of the view that high official should look into this matter and then reach on any conclusion as power is vested in the high official for doing so under Section 173(8) of the Cr.P.C.

The petitioner is at liberty to move before the Superintendent of Police, West Champaran in the light of order passed in *Surendra Singh Vs. The State of Bihar & Ors.* in *Cr. WJC. No. 153 of 2017* and analogous cases decided on 09.09.2022.

In this view of the matter, the present criminal writ petition is **disposed off** with direction to the petitioner to file representation before the Superintendent of Police, West Champaran in the light of the order passed in *Surendra Singh Vs. The State of Bihar & Ors.* in *Cr. WJC. No. 153 of 2017* with analogous cases decided on 09.09.2022 within four weeks' from today and the Superintendent of Police, West Champaran shall consider the representation and take appropriate action.

Rejoinder to the counter affidavit is directed to be
accepted in the Court itself.

(Dr. Anshuman, J.)

sadique/-

U		T	
---	--	---	--