

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1301 of 2021

Arising Out of PS. Case No.-381 Year-2018 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Bachandeo Srivastav Son Of Late Sohan Prasad Yadav Resident Of Village-
Navtoliya Bhatauriya, P.S.- Madhusudanpur, District- Bhagalpur, Presently
Working As Hawaldar, C.T.S. Nathnagar, District- Bhagalpur.

... .. Petitioner/S

Versus

1. The State of Bihar Through Principal Secretary Department of Home, Patna Bihar
2. The Under Secretary, Department of Home, Patna.
3. The Director General of Police, Patna.
4. The Inspector General of Police, Darbhanga.
5. The Deputy Inspector General of Police, Darbhanga.
6. The Superintendent of Police, Samastipur.
7. Deputy Superintendent of Police, Samastipur Sadar, Samastipur. Samastipur.
8. S.H.O. Muffasil, Samastipur.
9. Investigating Officer of Samastipur Muffasil P.S. Case No. 38/2018, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.
For the Respondent/s : Mr. Md. Nadim Seraj, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The present Writ petition has been filed for quashing
F.I.R. bearing Samastipur, Mufassil P.S. Case No. 381 of 2018
dated 30.06.2018 filed under Sections 120(B), 408, 409, 420,
465, 467, 468, 471, 474, 477A/34 of I.P.C.

Counsel for the petitioner submits that petitioner is

innocent and his name has unnecessarily inserted in the F.I.R. Counsel for the petitioner specifically and categorically submits that the inquiry in the register was going on in the department starting from June, 2015 to May, 2018, in which he has been made accused.

Counsel for the petitioner submits that from the said F.I.R., it has been stated that the petitioner has worked in the office during February, 2012 to April, 2015 and thereafter he was transferred to another department namely Darbhanga. As such, there is no question of intervention in the said matter. Therefore, he submits that the present F.I.R. should be quashed against the petitioner.

Counsel for the State submits that it is true that the inquiry was going on from June, 2015 to May, 2018 but irregularity has been found and it has come in paragraph-12 that there were two keys available. One key was with the Incharge person and another key was kept with *Hawaldar* and *Sipahi*. It has also come that the records has not been maintained since January, 2012.

In the light of submissions made above made by the parties, the question of involvement of the present petitioner shall be subject of an investigation, so far as, opinion of this

Court, as the petitioner including other similarly situated persons are responsible to make entry in the register, which they have not made.

In this view of the matter, this Court is not inclined to interfere in the order and let this Cr. Writ is hereby **dismissed**.

(Dr. Anshuman, J.)

Ashishsingh/-

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